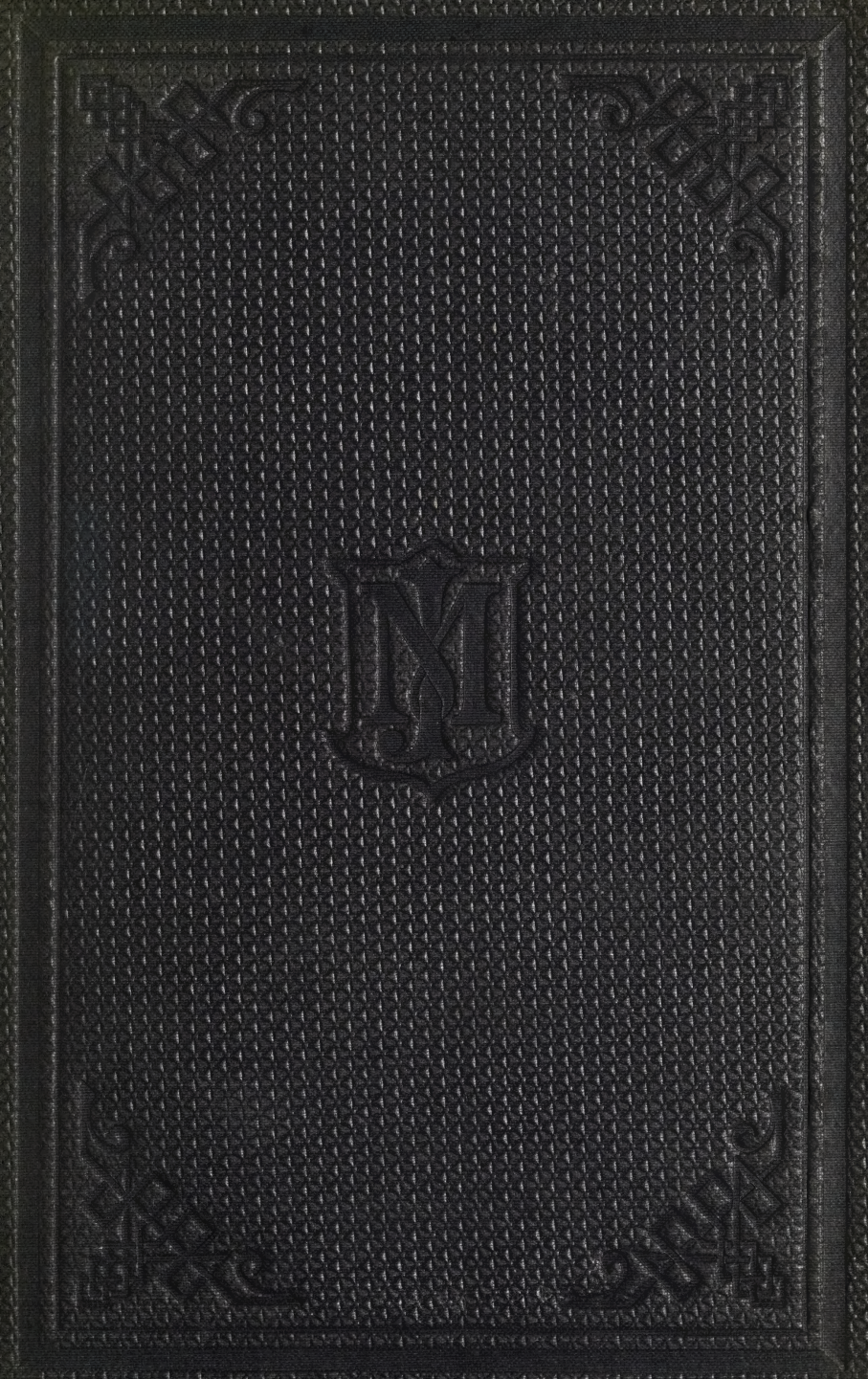

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HISTORY OF LIBERTY.

PART I.

THE ANCIENT ROMANS.

HISTORY

OF

LIBERTY.

PART I.

THE ANCIENT ROMANS.

BY

SAMUEL ELIOT.

"Romanæ spatium est urbis et orbis idem."
Ovid.

"The history of the world is one of God's own great poems."
Hare.

A NEW EDITION.

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BOOK III.

PERIOD OF INCREASE.

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BOOK III.

CONTINUED.

CHAPTER XVI.

CONQUEST OF ITALY.

"Come and see
The cypress, hear the owl, and plod your way
O'er steps of broken thrones and temples!"

BYRON, *Childe Harold*, IV. 78.

"They are no more than links in the chain winding round the world."

MACKINTOSH, *Hist. of England*, vol. I. p. 264.

BEYOND the crowded quarters of modern Rome, the ruins of the ancient city lie scattered and solitary. Like gravestones[1] above the race that reared them in their prime, they cover dust which, in the shadowy or the thoughtful hour, appears to be re-created in the forms of long-buried generations. Old conflicts, old triumphs, and old heroes sweep through

1 "Where the ground,
League beyond league, like one great cemetery,
Is covered o'er with mouldering monuments;
And let the living wander where they will,
They cannot leave the footsteps of the dead." ROGERS'S *Italy*.

the broken arches and crowd about the sunken columns, until these, too, assume the shapes which they once wore, and revive to greet the phantoms brought back to them by the memory of the watcher or the pilgrim. Sometimes a living throng, in sparkling attire and of rapid tongue, inundates the lonely places, breaking the slumber in which they have lain through the week or through the year. But the life and the rejoicing of the people, still called the Roman, cover with deeper melancholy the ruins to which the ancient name seems rather to belong. More spectral than in their solitude, they rise above the crowd like skeletons to whose wasted limbs the touch of flesh and blood is a convulsing mockery. No proof could be clearer of the annihilation of former things than the tremor with which their very fragments of brick and stone shrink from the light of day and the noise of men. Nor can there be any image of the desolation falling upon the nations whom Rome conquered in her Heathen times, more striking than the appearance of the victorious city itself in these Christian days.[2]

As soon as we engage in the dismal period through which the Roman conquests are to be followed, we seem to see more clearly the purpose for which a development of liberty, greater, in many respects, than was permitted elsewhere, took place amongst the Romans. They who passed through the passions of the Forum were nerved to pursue their way

2 "See the wild waste of all-devouring years!
How Rome her own sad sepulchre appears!
With nodding arches, broken temples spread!
The very tombs now vanish'd like their dead!" POPE.

over the corpses of the battle-field. It was the freedom amongst themselves that preceded the victory over the rest of the ancient nations.[3]

No adequate idea has yet been given concerning the extent of the original conquests. Even the mention scrupulously made concerning the new Tribes successively admitted until amounting to three-and-thirty, fails to tell the story as it should be told. It fails for the reason that the conquered people, instead of being registered in Tribes, often became dependent, or, as they were sometimes allowed to style themselves, independent allies. From them came the auxiliaries added to the Roman forces in overcoming enemies on every side, during the years latterly passed. It is the perception of the large armies engaged, and of the fiery passions aroused throughout Italy, that must save us from the mistaken notion of a people dashing into conquests as though they had been games, instead of the struggles in heart and limb that they really were.

The Roman dominions at the epoch of the popular party may be defined by a line beginning towards the northwest, between the forty-second and forty-third parallels upon the map of Italy. Thence it should be drawn above the southern part of Etruria, the country of the Sabines, and a portion of the adjoining Picenum on the north. Most of the region between Picenum and Samnium on the east,

[3] Which Dionysius notices as early as in the reign of Romulus:— Ἐλευθερίαν τε καὶ ἄλλων ἀρχήν. II. 4.

"Si Rome est libre . . . . c'est fait de l'Italie."
VOLTAIRE, *Brutus*.

together with Campania, as far as Vesuvius, and the whole of Latium on the south, should be included. Within these limits many states besides those admitted to the Tribes continued under their own laws. But there was neither a state nor an individual independent of Rome.

Such being the original conquests, the succeeding ones extended over the rest of Italy. The decisive period of the conflict between the Italians and their conquerors began the very year of the Janiculan secession, with hostilities on the part of the Etruscans and the Southern Lucanians. The Northern Gauls, joining the Etruscans, were the first to be overthrown. But a host of other enemies gathered from Tarentum, the Greek cities of the southern coasts, the Bruttians, the Lucanians, a part of the Apulians, and the relics of the Samnite nation. The arrival of Pyrrhus, the king of Epirus, and the best warrior of the times, to lead the forces of Italy against Rome and her tributaries, bade fair to prove the turning-point in the destiny of many nations. But the time was past when a Grecian hero could prevail upon the earth; and the triumph of the Western people, ordained on high, was only deferred by dangers through which its ultimate security was prepared. The victories of Pyrrhus at Heraclea and at Asculum were scarcely worthy of the name. When he was but once defeated at Beneventum, he withdrew in haste from the country, doomed, as he perceived, to another rule than his.[4]

[4] His purposes, as related by Plutarch, throw a singular light upon his defeat, when we remember the objects for which the Romans triumphed. See the Life of Pyrrhus, 14.

It was after the first of his victories that his favorite attendant, the philosopher Cineas, appeared in Rome to offer peace on condition that the freedom of the Italian Greeks and the Southern Italians should be recognized.[5] So artfully did he ply his attentions to the leading men, so eloquently did he urge the fairness of the terms which he brought, that the Romans were said to have hesitated whether an answer of defiance or one of submission should be returned. If there really was a doubt in such a case it soon vanished. The Senate, before which Cineas had already made his proposals, was again assembled.[6] But its deliberations were interrupted by the appearance of Appius Claudius, for some time secluded by infirmities and blindness from the scenes wherein he had formerly been conspicuous. The same spirit that had braved the opposition of his antagonists, and, as in the instance of Volumnius, flung back their offered aid, burned in the words[7] with which the old man roused his fellow-Senators to prolonged resistance. Cineas was soon dismissed to inform his master that the war would be continued so long as he remained in Italy. "It is an assembly of kings," quoth the philosopher, in describing the Senate, "ruling a people, too, like a hydra, never to be overcome."[8]

The answer of the Senate to Pyrrhus was fol-

[5] Appian., De Reb. Samnit., Frag., x. 1.

[6] Liv., Epit. XIII.

[7] Of which, however, nothing now remains but the mention of them and their effect, as in Liv., Epit. XIII.; Cic., De Senect., 6, Brut., 14, 16; unless Plutarch's report (Pyrrh., 19) be more credible than it seems.

[8] Plut., Pyrrh., 19.

lowed up not only by his expulsion but by the utter overthrow of the nations whose interests he had adventurously, yet selfishly, espoused. Etruria had already made its submission; and within three years from the action at Beneventum, the Samnites, Apulians, Lucanians, Bruttians, and Tarentines were all overpowered. An outbreak of the people of Picenum, on the Adriatic, was speedily crushed. Then a war with the Umbrians in the north, and the Sallentinians in the extreme southeast of the peninsula, completed the subjugation of Italy, from the lowest promontory up to the rivers Macra and Rubicon.[9]

Not yet were the Romans so borne away by victory as to forget their habitual discipline. The same reverence with which they had clung to their laws through the boisterous morning of their existence endured when the fiery sun began to shine full upon them as at noon. All the great names of the times, as well the new ones, like those of Æmilius Papus, Fabricius Luscinus,[10] and Tiberius Coruncanius, as the old ones of Curius Dentatus, Decius Mus,[11] and Marcius Rutilus, belong to men

[9] This sketch is chiefly taken from the Epitomes of Livy, the twelfth to the fifteenth inclusive. All the events occurred A. C. 286–266. Pyrrhus came to Italy in 281, and departed (having been in Sicily from 278 to 276) in 275. As Florus concludes his first book: — "Talis domi ac foris, talis pace belloque, populus Romanus fretum illud adolescentiæ, id est, secundam imperii ætatem habuit, in qua totam inter Alpes fretumque Italiam armis subegit."

[10] Concerning whose sedate integrity Plutarch is somewhat credulous. See the Life of Pyrrhus, 20 *et seq.*, and compare Aul. Gell., I. 14.

[11] Who was said to have sacrificed himself, like his father and grandfather, in the second battle fought with Pyrrhus, at Asculum; but this is wholly doubtful. Cf. Zonaras, VIII. 5, with Cic., De Fin. Bon. et Mal., III. 19.

who obeyed the laws as steadfastly as they faced the enemies of their country.

Fabricius and Æmilius Papus, Censors together in the year of the battle of Beneventum, expelled from the Senate a Patrician who had been twice Consul and once Dictator, on account of his ostentation.[12] When Curius Dentatus, in his second consulship, was holding a levy, preparatory to meeting Pyrrhus in the field, a momentary hesitation about enlistment manifested itself amongst the people. The Consul ordered the name of a Tribe to be taken by lot, and then the name of one of its members, also drawn by lot, to be called. The man thus summoned not appearing, Curius directed his property to be seized and publicly sold. At this the delinquent hastened forward to appeal to the Tribunes against the Consul. But the latter, declaring that the Commonwealth had no need of a citizen who would not submit to its demands,[13] commanded the man to be sold, as well as his possessions.

Marcius Rutilus, son of the great Plebeian of that name, was, after being Consul, Pontiff, and Censor, again elected Censor in his old age. He rose in the assembly to reprove the people for having chosen him a second time to an office of which their fathers had found it necessary to reduce the limits even in its single term. Without refusing the post for him-

[12] He was Cornelius Rufinus; the particular charge against him consisting in the show of silver plate at his banquets. Aul. Gell., XVII. 21. Dion. Hal., Exc., XX. 1. See the earlier story, in which Fabricius and Rufinus were connected. Aul. Gell., IV. 8.

[13] "Non opus esse eo cive reipublicæ qui parere nesciret." Val. Max., VI. 3. 4.

self, he urged a law to prevent the reëlection of any succeeding Censor.[14] Such being the disposition of the foremost, the mass of the citizens must have still more profoundly bowed before the majesty of the laws to which liberty and even authority could thus be sacrificed.

But it was impossible that victory so extensive as that which humbled Italy should be achieved without perturbations. The more manifest signs at Rome of the larger dominion were the formation of new offices, as well as the investiture of the former magistrates with wider powers and greater cares. The number of the Quæstors, the public treasurers, was augmented from four to eight.[15] Various commissions, as they may be called, were now first appointed to take charge of such affairs as the coinage, the roads, and the police,[16] all requiring to be managed on a different scale from that which had suited the city before it became the head of Italy.

The relations amongst the different classes would not be sensibly affected. Some fresh privileges might occur to the lower orders, as when the freedmen were enlisted in the legions.[17] Some new gains in land or booty might be made by the poorer classes.[18] But the breach between the high and the low, the subject and the ruler, was unrepaired. Nay, it was rather widened by conquests throwing power into

[14] Val. Max., IV. 1. 3, where the account is thus wound up: — "Uterque recte, et Censorinus et populus; alter enim ut moderate honores crederent præcepit; alter se moderato credidit." The law is mentioned in Plut., Coriol., 1.

[15] Liv., Epit. XV.

[16] Digest., lib. I. tit. II., II. 29 – 31. See Niebuhr's History, vol. III. pp. 253 – 255.

[17] Liv., X. 21, XXII. 11, etc.

[18] As in the instance recorded by Dion. Hal., Exc., XX. 9.

the laps of those who were already powerful with much greater profusion than was observed in conferring advantages on the lower orders. In the same way, the distinction between all classes of the victors and the races whom they subdued was the more sensible and the more grievous in proportion to the number of the vanquished.[19]

The impossibility of describing the forms of government and the habits of society prevailing with the ancient Italians is the evidence of their entire overthrow. Here and there, it is true, are scattered vestiges. But they prove too obscure to lead us to a view of those by whom they were left as living and active races.

It appears, to make the most of our materials, that the early Italians were settled in separate towns, amongst whose inhabitants, on account either of various origin or of bitter hostility, little peace existed until the establishment of confederacies, like those in Latium and Samnium. By means of these, the isolated settlements throughout the greater part of Italy were united under various national names. In time the powers acquired by the confederacies failed them all, as they were swept like chaff before the stormy marches of the Romans. Then, as the conquerors might have said in derision, the loans formerly received from the institutions of the conquered were repaid by new systems of their own.

The boon of citizenship was but sparingly be-

[19] The number of citizens is mentioned in Liv., x. 47, as having been 262,322. This was in A. C. 292. Fourteen years after, it was 272,000. Liv., Epitome xi.

stowed upon the conquered Italians. In some instances the most ordinary of the rights belonging to citizens were withheld.[20] In other cases the burdens upon the newly admitted citizens were so ponderous as to lead many of the Italians to refuse the offer of citizenship.[21] This, in its completeness, could have been granted only to those over whom a temporary advantage did not necessarily imply any enduring dominion. In such circumstances, the foe became a champion whose arms were at the disposal of his sometime enemy, and whose privileges as a member of the larger state might fall but little short of those vested in the elder citizens.[22]

Citizens were also gathered in the colonies. These, broadcast throughout Central Italy, have been mentioned as from time to time despatched to provide subsistence for their members, who would, in return, defend the lands or towns where their settlements were made.[23] A portion of the people[24] belonging to the conquered territory was always registered amongst the colonists, but as an inferior class; while the Romans of the colony continued to be citizens of Rome.[25]

[20] The private rights were those of property and of family, that is, the Connubium and the Commercium. The public rights were those of suffrage, and of holding office, that is, the Honores and the Suffragium.

[21] As the Hernicans, Liv., IX. 43; the Æquians, IX. 45; the Prænestines, XXIII. 30. See Cic., Pro Balbo, 13.

[22] Which Cicero describes as the "possessionem gratiæ, libertatis, suffragiorum, dignitatis, urbis, fori, ludorum, festorum dierum, ceterorum omnium commodorum." De Leg., Agr. II. 27.

[23] "Non enim veniunt extrinsecus in civitatem, nec suis radicibus nituntur; sed ex civitate quasi propagatæ sunt; et jura institutaque omnia populi Romani non sui arbitrii habent." Aul. Gell., XVI. 13.

[24] Sometimes the whole; as in the colony at Antium. Liv., VIII. 14.

[25] See the argument in Cic., Pro Cæcin., 33, 35; or the narrative in Liv., XXXIV. 42.

As the earlier or Roman colonies were founded for the Romans, so the later or Latin colonies[26] were established for their subjects. It does not appear that one of these settlements was ever made without a larger or a smaller number of Roman citizens participating in its advantages. But the rights of this class of colonies were naturally so inferior to those possessed by the former, that the citizen of Rome, though still superior to his Latin or Italian fellow-colonist, forfeited his equality with his Roman fellow-citizens.[27] The member of the Latin colony, generally speaking, enjoyed at the most the inferior rights of citizenship.[28] As a soldier, he was put amongst the auxiliary, never the native, forces in the army.[29]

No further reference to the distinction between the Latin and the Roman is necessary to describe the organization of the colonies. It was the great characteristic of them all that they were never of independent growth or of individual plantation. The first proceeding was the determination of the Senate or the Tribes[30] that a colony should be founded. Then they decided upon its character, whether it should be Roman or Latin; then, again, upon its

[26] Of which the first were founded at a period long preceding the subjugation of Latium when the Romans and the Latins were allied. See the instance of Antium, Liv., III. 1, and of Ardea, Id., IV. 11.

[27] "Certe quæri hoc solere me non præterit, ... quemadmodum, si civitas adimi non possit, in colonias Latinas sæpe nostri cives profecti sint." Cic., Pro Cæc., 33.

[28] Both the Roman and the Latin are called colonies of the Roman people, but only the Roman colonies are dignified as those of Roman *citizens*. Liv., XXVII. 9, XXXIX. 55.

[29] See Beaufort, Répub. Rom., Livre VII. ch. 4.

[30] At first of the Senate, as in Liv., VIII. 16.

position and its numbers. When these measures were resolved, a commission was appointed to superintend their execution. The colonists themselves had nothing else to do but to give in their names to the commissioners, and obey the directions of these functionaries. All the attractions, all the advantages of private enterprise were wholly beyond the reach of men who went out in companies to form a garrison upon the frontier, rather than a growing people in the midst of a widely extended territory.[31] It may, therefore, be believed that the colonies were filled by the least rather than by the most adventurous citizens.[32] Or if such a judgment seem too rash, it must, at all events, be evident that the beginning of a settlement with so little reliance upon the activity of its members foreboded little prosperity in their new existence. The march of the colonists, from Rome or from an Italian town, was led by the commissioners under whose direction the ceremonies of occupation or of foundation were performed.

For all that the colonial institutions have to add to the sum of Roman liberty, they might be overlooked. But because they have something to subtract, as it were, from the same sum, they must be included in our present survey. Here were men sent out from Rome or from its dependent towns

[31] "Coloniæ . . . . ex consensu publico, non ex secessione conditæ." Servius on Æn., I. 12.

"Colonia . . . . specula populi Romani ac propugnaculum." Cic., Pro Fonteio, 4. So in his oration De Leg. Agr., II. 27.

[32] The only difficulties in filling up the lists for a new colony appear to have arisen from the unwillingness on the part of those expected to join in it to meet any peculiar dangers or disadvantages. See an instance in Liv., X. 21.

to preserve the conquests which its forces had achieved. Yet, instead of acquiring new privileges, they generally forfeited their old ones. Invested with the right only of electing their local magistrates,[33] they were charged with the obligation of "faith and submission towards the Roman people."[34] The phrase was no mere formality. Instead of sharing the liberty of the Romans they shared the dependence of the Roman subjects.

As a natural consequence, the colonies proved unable to support themselves. Some required assistance for want of lands or numbers.[35] Others sought protection against the native people[36] by whom they were hated, or the enemies by whom they were assailed. A few, rebelling against the demands of Rome, provoked punishment.[37] There were many so wasted as to need recreation rather than reënforcement in order to be sustained. When Italy became merely the centre of the Roman dominions, the old system of colonization was abandoned.[38]

It is more difficult to take an exact account of the municipalities,[39] a name by which the Romans appear to have sometimes deceived and sometimes

[33] The order of the Decurions, the Curia (or the Senate), could alone be chosen to the curatorship (or censorship), and to the duumvirate (or consulship) of the colony. "Is qui non sit decurio duumvirato vel aliis honoribus fungi non potest." Digest., lib. L. tit. II., VII. 2., None could be Censor, the highest magistrate, without having held the inferior offices.

[34] "Pro fide atque obsequio in populum Romanum." Liv., XXIX. 15.

[35] An instance is mentioned in the early part of Livy, II. 21.

[36] See Niebuhr's notes, vol. II. p. 28.

[37] As in the case of Velitræ. Liv., VIII. 14.

[38] See the sketch by Velleius Paterculus, I. 14, 15.

[39] Municipia, sometimes translated Free Towns.

honored the Italian towns. Of these, some were governed according to the dictation of the sovereign city, at the same time that their inhabitants were admitted to the private rights of her own citizens. Others, receiving the same rights of citizenship, were allowed, besides, to retain their own institutions and their own magistrates.[40] Thus there were two classes of municipalities: the one subject municipally and politically, and the other, though politically subject, municipally free; both, again, being endowed with what would be called personal and social immunities.[41] It is nearly certain that the citizens of the higher class of the municipalities could, at any time, take upon themselves the full privileges of Roman citizenship by removing to the city where these were to be exercised. In such case, the emigrant was always obliged to leave at least one son behind him in order to support his house and perpetuate his name.[42] These various degrees of freedom, in every respect superior to those in most of the colonies, must have been extorted from the conquerors by the necessity of consideration towards some of those whom they conquered.

An episode in the disjointed history of the municipalities sets the spirit of the Romans towards the

[40] The epithets applied to the Ordo Decurionum, such as Amplissimus (Cic., Pro Cœl., 2) and Splendidissimus (Orelli, Inscript. Lat., 3164), pertain both to the municipalities and the colonies. See, in this connection, Liv., XXXIV. 7.

[41] The only authorities of any real importance concerning the Municipia are Festus, s. vv. Municeps, Municipium, and Livy, VI. 26, VII. 19, VIII. 14, 17, etc. See, also, Aul. Gell., XVI. 13. Some modern scholars are against the extended signification here given to the name.

[42] Liv., XLI. 8.

Italians in a better light. During the second consulship of Licinius Stolo,[43] there began hostilities which, after eight years' continuance, resulted in the concession of apparently the most liberal terms[44] to the neighboring town or state of Tibur. The same Tibur was excited a second time to arms. Though then more completely overcome, the conditions granted by the Romans were so forbearing[45] that the city became a municipality of the most independent class. But not long afterwards the people of the municipality were charged with infidelity to the cause of their conquerors. Though not a solitary fragment preserves the grounds on which they were accused, or the objects for which they might accountably have risked their comparatively enviable position, the act of the Senate in answer to their protestations of attachment and integrity remains entire. Entire it may here be inscribed, as embellishing the relations between the victors and the vanquished in these weary wars.

"Lucius Cornelius,[46] the son of Cnæus, Prætor, consulted the Senate on the third day before the nones of May, in the temple of Castor. Present for inscribing [the act], Aulus Manlius, the son of Aulus, Sextus Julius, Lucius Postumius, the son of Sextus. The Senate hath considered, as was fitting, how ye, O people of Tibur, have made your depo-

[43] A. C. 361. Liv. VII. 9.

[44] "Alioquin mitis victoria fuit." Id., ib. 19.

[45] Id., VIII. 14.

[46] Niebuhr thinks this to have been the Lucius Cornelius Scipio Barbatus, whose sarcophagus and epitaph are so familiar.

sition, and from what ye have cleared yourselves. And we have heard you just as ye declare ye have addressed us. We did not imagine these things to have happened: the more, because we were sure that ye could not have done them for any fault on our part; that, besides, ye were not such as would do them; and, further, that it would be of no advantage to you or to your state to do them. Since the Senate hath heard your address, so much the more do we believe, as we before believed, that ye have done no wrong. And as ye stand blameless before the Senate, we trust, and ye yourselves must trust, that ye will also stand blameless before the Roman people." [47]

There are no further details concerning the adoption of the act at Rome, or concerning its reception at Tibur. But the unchanging faithfulness of that municipality in after years may be taken for a sign that the conduct of the Romans towards some of their subjects was not always undeserving of a nation calling itself free.

Many, both of the municipalities and of the colonies, especially in the later period of the Commonwealth, were placed under the superintendence of a Prefect sent out annually from Rome with plenary powers of administering justice in the towns. These, though appearing to have retained, in part, their ancient privileges and institutions, were hence called

[47] The original is in Orelli, Inscript. Lat., 3114. It is quoted by Niebuhr (vol. III. note 466), who says that the brazen table on which it was inscribed was found at Tivoli, the ancient Tibur, in the sixteenth century.

Prefectures.[48] Various names[49] appertain to other communities, apparently too small to be dignified with the title of colony or municipality; the rights of their inhabitants being likewise inferior to those already defined.[50]

We may now pass to those estates, if so they may be styled, of the conquered, distinguished by more independent names. The Latins, more or less connected with the Romans from the earliest period, were, on being overthrown, enrolled amongst the municipalities or received into the Tribes of Rome.[51] If any nation, after the conquest of Italy, preserved the appearance of independence, it was the Latin, however real was its actual dependence.[52]

A large number of the more remote people in the Latin and even in the Italian territories were, together with the Latin colonies, comprehended under the common appellation of the Latin Name. By this they were distinguished from the proper Latin nation.[53] Only a portion of the private rights[54] pertaining to Roman citizenship were bestowed upon the men of the Latin Name. They might elect their own magistrates, and in some cases preserve their

[48] The Prefect took the place of the Duumvirs, perhaps of other municipal or colonial magistrates. Festus describes the office and its varieties at some length, s. v. Præfectura. See Liv., IX. 20, XXVI. 16.

[49] The Fora, the Conciliabula, the Vici, and the Castella. See Festus still.

[50] See Savigny, Hist. Rom. Law in the Middle Ages, vol. I. ch. 2.

[51] Liv., VIII. 14.

[52] "Quasi per vinculum Latinæ libertatis." Salvian., Ad Eccl. Cathol., III. p. 428, ed. Oxon.

[53] Perhaps originally applied to what was called New Latium, in contradistinction to the Old. See Beaufort, Rép. Rom., livre VII. ch. 1.

[54] The Commercium, or the right of property. The magistrates of these communities were admitted to the more general rights of citizens. Gaii Instit., I. 96; a reference which may apply to the later class of Latins.

own laws; but seldom, if ever, were they allowed to set any limits upon their services to the laws and to the magistrates of Rome. The condition of the Latin colonies, heretofore described, would exactly match that of the entire Latin Name, but for the fact that many of the colonies were invested with superior privileges as citizens.

The Latin Name, as an inferior estate, was generally joined with the allies[55] in the enumeration of the subjects whom Rome obtained in Italy. The union of the allies, like that of the conquered, with the Romans, would be more appropriately termed a surrender instead of an alliance. A large extent of their territory was generally seized, while the services required from the Latin or the colonist were augmented rather than diminished in respect to the members of the allied state. Nor was the preservation of their laws and governments available to secure the so-called allies against complete submission; and it is singular to remark that they who had the title of Free[56] were less independent than those called the Federate Allies.[57] Even the institutions left to them were often altered by influences not to be escaped, or by commands not to be disobeyed. So much was this the case, that it sometimes seems as if the Roman policy had been pursued to disgust the Italian allies, and to such a degree as to make them seek incorporation in the Commonwealth on the same terms to which others were reduced before or after them. It may often have

[55] "Socii [ac] nomen Latinum." Liv., xxi. 55.

[56] Socii Liberi.

[57] Socii Fœderati.

happened, in consequence, that a people would, as of its own accord, subscribe its allegiance to the great Roman dominion.[58]

The disasters of Volsinii, a renowned Etruscan city,[59] are among the instances of the evils from which many of the allies must have suffered. After their conquest, the Volsinians fell victims to luxury and indolence which it was harder for them to resist in the day of their degradation than it had ever been to withstand the Roman arms in the day of their independence. Through means and for purposes not clearly stated,[60] the slaves of the city were liberated and elevated, while the masters sank into the former condition of the slaves, who, as was natural, ran riot in the midst of enormities useless to be described. The helpless Volsinians sent secretly to Rome for aid. An army under the command of Fabius Gurges, then Consul for the third time,[61] was able[62] to rout and punish the wretched creatures who had abused their freedom. But it was more than any general or any army could achieve to raise the sunken hopes or to reform the corrupted habits which, as natural results of conquest, had brought the Volsinians so low.

[58] This was called "Fundus fieri." Cic., Pro Balb., 8. But it is a condition hardly to be distinguished from that of the Socii Fœderati, mentioned in the preceding note. It was an entirely different affair when an allied or a subject state adopted a single law. See Cic., loc. cit., and consult Heinecc., Antiq. Rom., Adpend., lib. I. cap. 2, § 88.

[59] "Erat opulenta, erat moribus et legibus ornata." Val. Max., IX. 1. 2.

[60] Zonaras (VIII. 7) says the administration of public affairs was abandoned to the slaves, because of the indolence of their masters. Cf. De Vir. Illust., XXXVI.

[61] A. C. 265. Florus, I. 21. Zonaras, VIII. 7.

[62] Though not without difficulty and the loss of their general. Florus and Zonaras, ut supra.

The time was at hand when the dominion of Rome and the degradation of her subjects were co-extensive throughout the Heathen world. But the Italians, of whom a large number were to serve with the Romans, and as the Romans, were not, of course, so much the objects as the instruments of the afflictions yet to be wrought by the victors. We have seen how thoroughly the Italians were humbled. We have yet to watch the effects of their new situation, and to learn if the homes and the laws of their fathers will be forgotten in the wider prospects opening to them below the seven hills. The words on the tomb of Scipio,—"He took Taurasia, Cisauna in Samnium, he subdued all Lucania, and *brought away hostages*,"[63]—read like a prophecy respecting the submissiveness of the Italians.

[63] "Taurasia Cisauna
Samnio cepit, subigit omne Loucana, opsidesque abdoucit."
Orelli, Inscr. Lat., 550.

CHAPTER XVII.

THE WAR WITH CARTHAGE.

"It is easy to imagine . . . . all men raising their spirits to a height too proportionable, as though they should now go through all the work without farther opposition." CLARENDON, *Hist. Rebellion*, Book VII.

FIRED by their successes in Italy, the Romans were already glancing abroad in search of greater victories. To obtain a hold upon the nations beyond the sea was an object for which they were earnest to make unusual exertions, not to say unusual sacrifices. On one occasion, an affront to some ambassadors from Apollonia[1] was expiated by the delivery of the offenders, though a Senator and an Ædile.[2] At another time, three of the most eminent citizens were despatched as far as Egypt to contract an alliance proposed by the Egyptian monarch.[3] Earlier still, and before the conclusion of the contest with Pyrrhus, the proffered aid of a Carthaginian fleet off Ostia was instantly refused.[4] At

[1] On or near the Grecian shore, opposite to Italy.

[2] A. C. 266. Zonaras, VIII. 7. Liv., Epit. XV. Val. Max., VI. 6. 5. The people of Apollonia were wise enough to return their prisoners unharmed.

[3] A. C. 275. The three were Fabius Gurges, Q. Ogulnius, and Fabius Pictor (son of the artist). Val. Max., IV. 3. 9. Liv., Epit. XIV.

[4] Val. Max., III. 7. 10.

the same period, the ancient league with Carthage was renewed on independent terms.[5] Free to keep or to break their treaties, the Romans, at the end of the Italian conflict, stood bent on foreign strife.[6]

Whither could they turn? Rather, whither could not they turn? A half century and more had passed since Alexander of Macedon died.[7] His successors, enfeebled by their fierce contentions, had sunk back upon the thrones which it had been easy for them to seize amongst the exhausted races of the East. In the West there was no other civilized power for the Romans to encounter but that of their ancient allies of Carthage. The manner in which the alliance was broken and the war begun must be the first chapter in the dreary history of the foreign wars to which the temper and the strength of the Romans were now fully trained.

Our account of Phœnicia would serve, in many points, for a description of its great colony at Carthage. The same rise of a third class, in succession to the preceding classes of warriors and priests, is to be observed amongst the Carthaginians as amongst their predecessors.[8] The same predominance of a faith impelling its votaries to deeds of shame and sacrifices of horror can be traced to the colony from the mother-land.[9] At the same time, the religious and the political institutions that

[5] A. C. 279. Polyb., III. 25. A clause was introduced with reference to the existing war.

[6] "E l'Aquile superbe
Cominciaro a sprezzar l'aure vicine."
GUIDI.

[7] A. C. 323. The embassy from Rome to Alexander may not have been a mere tradition. See Plin., Nat. Hist., III. 9.

[8] See ch. XXXIX. of Arnold's History.

[9] Diod. Sic., XX. 14.

had been in advance of the age of the Phœnicians were altogether behind the age of the Carthaginians.

This is to be remembered as we behold the shock of Carthage and of Rome. The one was strong according to the standard of the past. The other alone was vigorous according to the standard of the present. Not only the rulers, but the citizens of a state based upon all that there was of liberty in antiquity, the Romans are to be descried, on the one hand, as resolute as they were mettlesome. On the other hand must be conceived a smaller number, forming a luxurious caste, rather than a martial nation, relying upon domination, upon wealth, upon any thing rather than liberty. The love of home might be the same on both sides. On both, the love of conquest might be the same. But the means of achieving the conquest or of defending the home were as different as the means of impetuous youth differ from those of impetuous age.

The policy of Carthage, as a maritime state, to bring the people around the Mediterranean into subjection, had long been in successful operation while the Romans, as an inland nation, were occupied in subduing the interior of Italy. No sooner, however, did they find themselves in possession of the Italian shores, than they burned to rule the Italian seas. The precedence of the Carthaginians in achieving the conquest of many of the neighboring islands, and, at that very time, in pressing the reduction of Sicily, was rather a spur than a pre-

ventive to the rivalry of the Romans.[10] Such as had eyes to see the prospect opening on either side must have beheld the waves stained with blood in a coming conflict for the sake of supremacy not merely upon the Italian waters, but upon the wider waters of the Mediterranean.

A band of Italians, under the name of Mamertines, had got possession of Messana in Sicily by treachery and massacre, some twenty years before. Within a short period after the conquest of Italy, the adventurers were so hard pressed by the forces of Hiero, the king of Syracuse and the ally of Rome, as to send an embassy imploring the protection of the Romans.[11] The character of the Mamertines was little better that that of so many outlaws, while their enemy, Hiero, was a distinguished monarch and a stanch ally of the Commonwealth. But the opportunity of obtaining a foothold in the island where the Carthaginians were carrying all before them was too strong a temptation to be resisted by the Romans. So when the Senate returned a refusal to the suit of the Mamertine ambassadors, it was with such evident reluctance, that the Consuls of the year brought the question before the Tribes, where it was soon resolved to support the suppliants.[12] Meanwhile, or before the Romans could cross the straits, the forces of Syracuse had been withdrawn in consequence of the introduction of a Carthaginian garrison into

[10] "Illa scilicet Romanis arcibus semper æmula." Salvian., De Gub. Dei, VII. p. 263.

[11] Polyb., I. 10.

[12] Id., I. 11.

Messana. This being expelled on the admission of the troops from Rome, the siege of the city was begun by two armies, the one Carthaginian, the other Syracusan, Hiero, apparently,[13] having been driven into hostilities by the aggression of his former allies.

So commenced the first Punic war, as it is styled in history. The earliest advantage gained by the Romans was the return of Hiero to their alliance.[14] Soon followed the fall of Agrigentum,[15] and, within a year or two more, the first naval victory, won by Caius Duilius, in a novel but decisive manner, off Mylæ, on the northern coast of Sicily.[16] Four years later, Atilius Regulus being in command, the Carthaginian fleet was worsted near Ecnomus, on the southern shore, while Africa itself was invaded, though soon abandoned by the Roman army.[17] Before and after the African campaign of Regulus, the operations of Atilius Calatinus in Sicily contributed greatly to the encouragement of the Romans,[18] whose hopes were still more strengthened by the later victory of Cæcilius Metellus, at Panormus, in the North.[19] Hamilcar Barca, the great hero of the war, came over not long afterwards,[20] and for five years kept the remnants of the Cartha-

[13] Polybius (loc. cit.) simply mentions the desire of the king to drive out the Mamertines from Sicily as the cause of his junction with the Carthaginians.

[14] Polyb., I. 16.

[15] Id., I. 19. The siege lasted seven months.

[16] The novelty, which consisted in the use of boarding planks, is described by Polybius, I. 20–22.

[17] Polyb., I. 26 *et seq.* Florus, II. 2.

[18] Polyb., I. 25, 38. He was the first Dictator who commanded beyond the limits of Italy. Liv., Epit. XIX.

[19] Polyb., I. 40.

[20] Id., I. 56.

ginian dominion from falling into the hands of its enemies. But the defeat of the admiral Hanno, near Ægusa, by Lutatius Catulus,[21] cut off the subsidies on which Hamilcar depended, and forced him to make, under authority received from home, the overtures of peace.

Two-and-twenty years had the war continued.[22] It was finally decided that Carthage should pay a large sum of money, besides releasing her prisoners and evacuating Sicily together with the immediately adjoining islands.[23] We must picture to ourselves the mortification of the Carthaginians thus humbled in their tenderest points, the lust of dominion and the lust of gold. On the other side, the number of Romans bearing arms was diminished by more than forty thousand.[24] But the losses and the fears of the conflict were compensated a thousand-fold by the hopes and the triumphs which had been acquired. The first blast of the trumpet blown abroad had brought the enemies of the Commonwealth to their knees. It was of little concern to Rome that her own breath should have been severely tried.

Great as the Romans had proved themselves as warriors, they had proved themselves greater as citizens. The rich had given their money,[25] the poor their service, the skilful their knowledge, and the

[21] Polyb., I. 61.

[22] A. C. 264–241.

[23] Polyb., I. 62, 63.

[24] It appears that there were 292,224 returned by the census of A. C. 262; but only 251,222 by that of A. C. 242. Liv., Epit. XVI., XIX.

[25] As when the fleet was prepared by which Catulus conquered at Ægusa. Polyb., I. 59.

brave their strength[26] to the one great purpose of victory. All the ambition, all the division of former times seemed to be suspended. The Patricians allowed a Plebeian, Tiberius Coruncanius, to be elected Chief Pontiff. Still more generous, the Plebeian opened to others the lore that had allowed him to rise so high.[27] On the other hand, the inefficient or the lukewarm were no longer protected by party-spirit. Thirteen Senators and forty Knights, deemed guilty of negligence in the public service, were stripped of the honors which they knew not how to wear.[28] No classes, no individuals, however valiant in war, were released from any of their obligations. One Consul could not take the field, because bound as the Flamen of Mars, to remain in Rome.[29] Another Consul, defeated after scorning the unfavorable auspices, was condemned for treason to the Commonwealth.[30] What would the Carthaginian general have thought of such a doom? It was because the Romans were held to graver responsibilities in the discharge of which they themselves were graver, it was because they were

[26] As when the military Tribune, whose name is left uncertain, led four hundred followers to certain destruction in order to save the army to which they belonged. Cato, after whom the story is related, compares the heroism of the action to that of Leonidas at Thermopylæ. Aul. Gell., III. 7. Cf. Liv., Epit. XVII.

[27] Digest., lib. I. tit. II., II. 35–38. Liv., Epit. XVIII.

[28] The reason for the degradation of the Knights is expressly stated as having been their neglect of military duties in Sicily. Val. Max., II. 9. 7. Liv., Epit. XVIII.

[29] Aulus Postumius. Liv., Epit. XIX.

[30] Appius Claudius Pulcher. Id., ib. Polyb., I. 52. Cic., De Nat. Deor., II. 3, De Divin., II. 33.

Other instances of the same character are recorded: as in the conduct and sentence of Claudia, Claudius Pulcher's sister, Liv., Epit. XIX.; the punishment of Aurelius Pecuniola, Val. Max., II. 7. 4; and that of Q. Cassius, Zonaras, VIII. 14.

greater as citizens than as warriors, that they triumphed.[31]

Concerning the lower orders the ancient chronicles preserve their usual silence. But it is simple to imagine the consideration received by the inferior classes during the war. The poor Plebeian, needed in the army or in the fleet, could not go unregarded. The labor of the artisan, required for the equipments of the departing or the luxuries of the returning soldier, could not go unrewarded. Even the slave would be more kindly treated by the master whose liability to distant service obliged him to rely more than of old upon the fidelity of his bondmen. The very alien obtained a sign of unwonted attention from his rulers. A year or two before the close of the war, a new magistrate was appointed, under the title of Alien Prætor,[32] whose chief duty it should be to administer justice amongst the aliens, whether resident in the city or in the various towns[33] to which they belonged.

In the midst of these happier prognostics, there comes a sound of clanking chains and dripping weapons. It is the first combat of gladiators, ordered, we are told, by a son in honor of his father's memory.[34] Whatever hopes the slave or the alien, the poor man or the artisan might have formed seem to have been dispelled.

[31] The familiar story of Regulus, the invader of Africa, too doubtful to be given as history, may be referred to in illustration of the spirit to uphold and to die for the laws. Liv., Epit. XIX. De Vir. Ill., cap. XL.

[32] "Peregrinus appellatus est ab eo quod plerumque inter peregrinos jus dicebat." Digest., lib. I. tit. II., II. 28. The date, however, is uncertain.

[33] See Hugo's Hist. Rom. Law, § CLVIII. and note.

[34] Val. Max., II. 4. 7. Liv., Epit. XVI.

CHAPTER XVIII.

INTERVAL.

"Jamque in privato pascere inertis erat."

OVIDIUS.

No one at Carthage or at Rome could have believed that the peace recently concluded would be of long duration. How the Carthaginians prepared to retrieve their defeats does not come within the scope of our history. We have to mark how the Romans made ready to renew their victories.

Immediately after the war, two new Tribes, principally of Sabines, were added to the previous three-and-thirty.[1] At the same time, that portion of Sicily[2] which had been overrun was constituted a province[3] upon terms hereafter to be described. On the subsequent addition of another province,[4] the number of Prætors was raised from two to four in order to provide proper governors for the dependent realms.[5] So both the new conquests and the old were secured against the returning flood of war.

[1] Liv., Epit. XIX.

[2] Syracuse continued under the government of King Hiero; Messana was made an ally; and there were some other exceptions to the Roman rule.

[3] Appian., De Reb. Sic., Exc. II.

[4] Sardinia.

[5] Digest., lib. I. tit. II., II. 32.

Meanwhile, the concord that had arisen amongst the different classes of the conquerors slowly waned. Shadows return with the mention of prosecutions concerning the occupation of the public domain.[6] Nor are the claimants of land the only malecontents to be seen through the darkening annals. The lower orders, without claiming any thing, had received too much consideration during the war to be satisfied with the inconsideration now shown towards them. Sharing in the exultation of their superiors over the triumph of the Roman arms, they may have made bold to seek a share in the protection of the Roman laws. Such things betokened more sombre disorders than had as yet prevailed. For so uncertain were the relations of the Romans towards other nations not only beyond the sea, but upon the continent, that domestic disorders must have seemed to threaten irreparable calamities.

At this juncture the advocates of order obtained a leader. Caius Flaminius, a man of no family distinction, was elected Tribune some eight or nine years after the peace.[7]

To meet the wants of the poorer Plebeians, Flaminius produced a bill to effect a large assignment of lands in the northern territories. The Senate, after all other menaces had failed, threatened to send an army against the Tribune if he urged his bill through the Tribes. As he still went on, his father was induced to try his hand in curbing the refractory spirit of his son. Just as Flaminius was bring-

[6] Vell. Pat., I. 14.

[7] Probably in A. C. 232.

ing up the bill for decision, he was arrested by his parent. "Come down, I bid thee," said the father. And the son, "humbled," says the chronicler, "by private authority," obeyed.[8] Yet the bill passed.[9] The relief of the Plebeians was further promoted by the foundation of new colonies.[10]

But the inferior classes were not yet reduced to tranquillity. Ten or twelve years elapsed, during which Caius Flaminius rose from the prætorship to the consulship, and thence to the censorship. Leader as he was of those who advocated liberality as the means of preserving order, Flaminius showed no disposition to comply with the wants of the classes inferior to the poorer Plebeians. He seems to have thought their clamor stilled, when, as Censor, he transferred the freedmen to the four City Tribes, as Fabius and Decius had done almost a century before.[11]

Not the less zealous was Flaminius in supporting the class whose interests he had originally espoused. The year after the expiration of his censorship he joined a Tribune[12] in carrying a law to restrict the mercantile speculations of the Senators.[13] Flaminius, be it remembered, was himself of the Senate. However much he may have cared for the opportuni-

[8] Val. Max., v. 4. 5. Cic., De Invent., II. 17.

[9] Cic., De Senect., 4. Polyb., II. 21.

[10] Liv., Epit. XX.

[11] Liv., Epit. XX. It was in the same censorship that he constructed the Flaminian Circus and the Flaminian Way.

[12] Quintus Claudius.

[13] Senators and their sons, thus ran the law, shall own no merchant-vessel of greater burden than is requisite for the transport of produce from their near or distant estates. Liv., XXI. 63.

ties of gain incidental to his office, he surrendered them. However much he may have shrunk from hostilities with his fellow-Senators, he encountered them. To prevent the rich from becoming too wealthy was to Flaminius a point worthy of dangers as of sacrifices. For it was equivalent to saving the poor from becoming too destitute.

A weightier burden than poverty still hung, as if immovable, upon every class. Wars of which we are presently to read broke out in the North. Then an old prophecy, about the fall of the city into the hands of a second troop of Gauls, was remembered. All unequal to avert the evil omen were deemed the valor of the troops and the knowledge of the generals sent forth against the enemy. That they and the people left behind might believe the oracle to be fulfilled, two Gauls and two Greeks, a man and a woman of either race, were buried alive beneath the Forum.[14] The same spirit might show itself in different forms. When the Senate ordered the demolition of the temple built to the Egyptian Isis and Serapis, lest the strange deities should offend the gods of Rome, the laborers hesitated to lay hands upon the fane[15] until the Consul, Æmilius Paullus, stepped forward and dealt the first blow upon the temple doors. The name of Æmilius must stand as that of the first Roman who, even unconsciously, shook off the superstition chilling the limbs and choking the breath of his countrymen.

Between the first and the second wars against Car-

[14] Zonaras, VIII. 19.

[15] "Eaque nemo opificum attingere auderet." Val. Max., I. 3. 3.

thage, there elapsed twenty-three years.[16] In all this interval, it was but once possible to close the gates upon the image of Janus, and to believe that peace had returned to Rome for the second time[17] since its foundation upon the Palatine. War soon claimed its own. First came a campaign of six days against the Faliscan people,[18] conquered by Camillus in the times of old. Then, as if in continuance of the same associations, the Gauls and their neighbors of Liguria appeared in arms.[19] At almost the same moment, the inhabitants of Corsica and Sardinia, faithlessly wrested from Carthage since the peace, attempted to deliver themselves from the new power by which they were held in subjection.[20] The Sardinians again rebelled within the next few years, and though their island, as well as that of Corsica, was formed into a province,[21] the people continued to chafe and to resist until a much later period. The great war arose when the tribes beyond the Po, joined by their kindred or their mercenaries from the other side of the Alps, combined in one vast Gaulish host against the forces of the Commonwealth.[22] Already had the Grecian side of the Adriatic been visited by a Roman army, sent out against Illyria,[23] and tempted farther southwards by easy victories; although Illyria itself was not decisively

[16] A. C. 241 – 218.

[17] The first time of closing the temple was in the reign of Numa; the third, in that of Augustus. Liv., I. 19.

[18] Liv., Epit. XIX. Polyb., I. 65.

[19] Liv., Epit. XX. Flor., II. 3.

[20] Liv., Epit. XX.

[21] Digest., lib. I. tit. II., II. 32.

[22] Polyb., II. 21 *et seq.* Flor., II. 4.

[23] Polyb., II. 8, 11. Flor., II. 5. Appian., De Reb. Illyr., VII.

reduced until ten years afterwards.[24] Athens and Corinth, at a distance, united in bestowing honor upon the invaders.[25]

From these facile triumphs, the Roman forces were called back to resist the overwhelming inroads of the Carthaginian Hannibal.

[24] Polyb., III. 16, 19.

[25] The Athenians gave their franchise to the Romans, and allowed them the privilege of initiation into the Eleusinian mysteries. Zonaras, VIII. 19. The Corinthians admitted the Romans to the Isthmian games. Polyb., II. 12.

CHAPTER XIX.

THE WAR WITH HANNIBAL.

"Bellum maxime omnium memorabile."

LIVIUS, XXI. 1.

"The ruin of the goodliest pieces of the world foreshows the dissolution of the whole." RALEIGH, *Hist. World*, Pt. I. Book V. ch. I. s. 2.

OF the factions amongst the Carthaginian rulers, one went for the existing luxury and oligarchy, while the other maintained the necessity of more liberal government and more general energy. The disputes between the two had been quieted neither by the misfortunes of their war with Rome, nor by the greater dangers of the ensuing rebellion amongst their mercenaries and subjects. While the liberal Carthaginians were seeking the means of restoring what had fallen, their oligarchical opponents were bent upon repose, though it were in the midst of ruins. The greater the inclination towards things as they had been, the less seemed the resolution to return to them.

At the head of the liberal faction was Hamilcar Barca. After having saved his country from utter shame in Sicily, and utter destruction in her own

territories, he succeeded in carrying his proposal of an expedition to Spain. There, as he openly asserted, lay the only opportunities of retrieving the recent calamities. Thence, as he secretly conceived, led the only avenues to revenge upon the enemies whose arms had inflicted the severest of the blows from which Carthage was suffering. As the chief of the armament departing against Spain, Hamilcar stood before one of the Carthaginian shrines. His prayers and libations for success were offered; when, instead of withdrawing, he took his son, a boy but nine years old, and leading him to the altar where none but the god could hear, he bade him swear that there should be no peace betwixt him and the Romans.[1] The boy was Hannibal.

On Hamilcar's death in Spain, his son-in-law, Hasdrubal, succeeded to his post and enterprise. Hasdrubal in his turn perished. Then Hannibal, though still young[2] to assume such an inheritance as that of his brother-in-law and father, obtained the command. The soldiers had witnessed his daring in battles when he was a boy, and his power in the expeditions under his own direction as he grew in years.

So few were the Carthaginian rulers, so much fewer were the members of a single Carthaginian faction, that any war undertaken by them would seem like an individual enterprise. Such in reality

[1] Polyb, III. 11. Corn. Nepos, Hann., 2.

[2] Zonaras (VIII. 21) seems to have the right in giving him 26 years. Nepos says (Hann., 3) less than 25. But Hannibal was born A. C. 247, and it was now 221.

was the war undertaken by Hannibal. To him, not to Carthage, had his father bequeathed hatred against Rome. To him passed over the resources gathered by Hamilcar and Hasdrubal for prosecuting the passion which they left to him. With him, rather than with Carthage, did the war originate. It was the keeping of his early vow.

On the other hand, the Romans, who had taken the most treacherous advantage of the perils into which Carthage was brought by her mercenaries, were greatly concerned to hear of the advances made by her generals in Spain. At one time, they entered into a treaty with Hasdrubal, who consented that the river Ebro should be the limit of the Carthaginian dominion,[3] and that the independence of Saguntum in the South should be respected as that of a city allied to Rome.[4] But it was not so easy to deal with Hannibal. As soon as his appointment by the soldiers was confirmed at Carthage,[5] he began upon campaigns against several of the Spanish tribes. In the next year but one he laid siege to Saguntum itself, as if he desired nothing more than war[6] with its Roman allies. The fall of Saguntum provoked the open declaration of hostilities on the part of Rome.[7] It was soon followed by the astonishing march of the Carthaginian army across the Pyrenees and the Alps to the northern plains of Italy.

[3] "Utriusque imperii" is the expression of Livy, as if the Romans had been in possession of the country to the north. XXI. 2.

[4] Liv., XXI. 2. Polyb., II. 13.

[5] Polyb., III. 13.

[6] "Ex quo die dux est declaratus, velut Italia ei provincia decreta, bellumque Romanum mandatum esset." Liv., XXI. 5.

[7] Id., ib. 18. Polyb., III. 33.

Six-and-twenty thousand troops[8] under a Carthaginian commander might well appear to the Romans to be no match for the Consuls and the legions of their own great Commonwealth. Nor were there many spirits so heavy as not to be stirred by the hope of instant and entire victory over the foe who, after conquering Spain against their will, now dared to brave them on their own soil. The first encounter, however, near the river Ticino,[9] made them aware that the invader was more formidable than he had been deemed. The next engagement, on the banks of the Trebbia,[10] resulting in the complete defeat of two Consuls with both their armies, threatened nearer dangers than had been believed within the range of possibility. The Romans found themselves fighting for Italy.[11]

They were soon fighting for Rome. Flushed with his rapid victories, and joined by large numbers of Gauls, allies as well as enemies of Rome,[12] Hannibal sped on towards his prize. Caius Flaminius, the Tribune and the Censor, now Consul, dared to block up the way by Thrasymene. He was slain, while his legions were scattered like "a forest felled by mountain winds."[13] Keen blew the blast towards Rome, where the Senate, after shivering from sunrise to sunset, determined to screen themselves and

[8] 12,000 African and 8,000 Spanish foot-soldiers, besides 6,000 horse. Polyb., III. 56.

[9] A. C. 218. Polyb., III. 65. Liv., XXI. 46.

[10] Polyb., III. 73. Liv., XXI. 55, 56.

[11] "Pro Italia pugnandum." Id., ib. 42.

[12] Polyb., III. 77.

[13] A. C. 217. See Byron's magnificent stanzas in Childe Harold, IV. 62 – 65. The ancient accounts of the battle are in Liv., XXII. 5 – 7; Polyb., III. 84.

the people by appointing a Dictator. The charge to him, — that he should "fortify the walls and towers of the city, — post garrisons wherever might be proper, — cut down bridges across the streams, — and save Rome, at least, if Italy could not be defended," [14] — reveals the consternation and the chill as wellnigh universal.

The Dictator [15] thus instructed was Quintus Fabius, the great-grandson of the old hero Rullianus, twice before Consul, once Censor, and once Dictator. After ordering the religious supplications which he thought as necessary to his own success as to the confidence of his countrymen, Fabius set out to delay the progress of Hannibal, now pressing on from Thrasymene, across the Apennines and through Picenum, into Apulia. Refusing to risk another army in the open field, notwithstanding all provocation from the foe, all discontentment amongst his own soldiers, the Dictator hung upon the march of the Carthaginians, cutting off their supplies, and escaping the onslaught with which they turned upon him, like hungered and tormented beasts upon a pursuer. The name of Cunctator, meaning the Sluggard, when applied to him,[16] was subsequently interpreted as the Restorer. Worthy, also, was he afterwards thought, of being called Maximus, the Greatest of the Fabii. For at his bidding had come the first lull in the tempest.

The advance of Hannibal was not so threatening

[14] Liv., XXII. 8.

[15] Or, as he was actually styled, Pro-Dictator, on account of the unusual manner of his election. Liv., XXII. 8. Polyb., III. 87.

[16] See Liv., XXII. 14. Plut., Fab., 17.

as the defection of the Italians. At the great battle of Thrasymene, where, as previously mentioned, he was aided by the northern tribes, Hannibal had dismissed all his captives but the Romans, bidding them acquaint their countrymen that he came to fight not with the Italians, but with the Romans, and with them alone.[17] Afterwards, in the southern countries, Hannibal found many to flock around his standard and increase his hopes of conquering not Rome only, but Italy and the wide world. The terrors, day after day increased by his success with the Italians, outweighed all the alarms, excited in a moment and in a moment allayed, respecting his victories. Seeing how the scale was quivering, the Romans believed it could be inclined only by the weight of the sword, heavy with gore, which should be first thrown in on either side.

Accordingly, the dilatory operations of Fabius were censured as unwise. Then they were suspected of being treacherous. Finally, they were denounced as equally shameful to him and to his nation. His Master of the Knights, by name Minucius Rufus, foremost to complain of Fabius and to boast of himself, was invested, by almost universal consent, with equal authority to that of the Dictator in the defence of the Commonwealth.[18] Another battle with the Carthaginians soon ensued under Rufus's command. It would soon have proved another defeat, had not Fabius hastened to his colleague's rescue, and driven back the foes. Hannibal, foiled of

[17] Polyb., III. 85. [18] Liv., XXII. 25. Plut., Fab., 8, 9.

his prey, exclaimed, in allusion to Fabius, that he had often foretold the breaking of the cloud so long hanging on the mountains.[19] Rufus gave back his commission into the hands of the Dictator, and confessed that he, too, was conquered as well as saved.[20]

But the temptation to aggressive measures returned. It presently caused the election of Terentius Varro to the consulship. Of mean origin in the eyes of his countrymen,[21] and a warm adherent to the lower Plebeians, Varro had made himself a popular, and in many respects a useful man, when he was suddenly lifted to a height where dizziness on his part was unavoidable. It was but a year after the calamity of Thrasymene, yet Varro went forth, as if unwarned. Not unadvised, however, by his colleague, Æmilius Paulus, did Varro give battle. Æmilius, with five-and-forty thousand Romans, fell in fatal carnage upon the fields of Cannæ,[22] where the hopes of Hannibal and the fears of Rome seemed to be fulfilled. Maharbal, the commander of the Carthaginian cavalry, urged his leader to march upon the city, and sup, as he might, within five days, in the Capitol.[23] But Hannibal knew that his triumphs, as well as Maharbal's promises, were still insufficient to lay his enemies prostrate.

[19] Plut., Fab., 12.

[20] The scene, as related by Plutarch, is well worth witnessing. Fab., 13.

[21] "Loco non humili solum, sed etiam sordido, ortus: patrem lanium fuisse ferunt, ipsum institorem mercis filioque hoc ipso in servilia ejus artis ministeria usum." Liv., XXII. 25. See further in 26.

[22] Without counting the allies. See the mournful lists in Liv., XXII. 49, and Epit. XXII.; Polyb., III. 116; and read Plutarch's account in the Life of Fabius, 15 *et seq.* The battle was fought in 216.

[23] Liv., XXII. 51. Polyb., III. 118.

It was formerly the custom to include the victory at Cannæ among the battles which passed away without any other results than the agonies of their dying or their living victims. More recently it has appeared that the defection of the Southern Italians and the surrender of Capua to Hannibal were abundant fruits for any conqueror to gather from a single battle-field. At the same time, the still further consequences which might reasonably have been expected to follow from such a day as that of Cannæ were frustrated by the resolution and the activity of the Romans. Appalling at the instant as had been their overthrow, it was, nevertheless, like the last actual crash of the storm, whose muttering, however, was still to be continued.

A small remnant, consisting of about five thousand men, escaping the slaughter of the Roman army, took refuge in the neighboring town of Canusium. Some of the younger Patricians, under the lead of Cæcilius Metellus,[24] urged the expediency of quitting Italy and abandoning Rome to its miserable end. But one, younger than all the rest, and accustomed only to ineffectual service, as by the Ticino, where his father commanded, and now at Cannæ, where he had held some subordinate office, broke in, with all whom he could persuade to arm themselves and follow him, upon the would-be fugitives. It was Publius Cornelius Scipio. "I swear," he cried, waving his drawn sword before the eyes of Metellus and the rest, "that I will neither for-

[24] Son of the conqueror at Panormus, p. 27.

sake my country nor suffer any other citizen of hers to do so!" And the oath of Scipio was, at his command, repeated by every one of those just before prepared to swear to faithlessness rather than fidelity.[25]

The feeling of devotion to the Commonwealth was strengthened, instead of being enfeebled by its disasters. Varro, the Consul, after doing every thing he could to save his army in the battle from which he fled only when all was lost, joined the survivors at Canusium with some few followers. He then wrote to inform the Senate that he was there with about ten thousand men, who had escaped destruction, like scattered planks, as he expressed it, from a shipwreck. "Not yet," he added, "can Hannibal march against you."[26] The Senate, under the direction of Fabius,[27] was already recovering from the effects of the thunderbolt that had fallen. Disorders arising within the city were instantly allayed. Even the period of mourning for the dead was limited to thirty days in order that the sacrifices and the festivals of the year might not be too long interrupted.[28] One citizen, Claudius Marcellus, was sent to take command of the broken forces at Canusium. Another, Junius Pera, was named Dictator in order to hold the enlistments now urgently required. Eight thousand slaves were bought at the

[25] Liv., XXII. 53. Val. Max., v. 6. 7. Dion. Cass., Frag. XLIX. 1.

[26] Liv., XXII. 54. Dion. Cass., Frag. XLIX. 2.

[27] "On him straightway," says Plutarch, "the remaining hopes of Rome were all reposed, and to his prudence, as to a sanctuary or altar, recourse was had for protection." Fab., 17.

[28] Liv., XXII. 56.

public expense to be emancipated and armed.[29] Six thousand debtors and criminals were liberated or discharged in order that their services, likewise, might not be lost.[30] To the common recruits from the city itself, the colonies, the municipalities, and all the allies, were added boys under seventeen, in order to complete the numbers of the legions. At the same time that the troops thus raised could be armed only from the trophies of former wars, the Senate refused to ransom the captives whom Hannibal had taken.[31] Nay, it went so far, soon after, as to order the remainder of Varro's army to be led into Sicily, where it was directed to serve while the war continued.[32] When Varro himself returned to Rome, he received the thanks of the Senate for not having despaired of the Commonwealth.[33]

So much had confidence revived. But it was with the help of superstition. To make all sure, Fabius Pictor, the earliest Roman historian, was sent to seek inspiration at Delphi,[34] while the burial of Gauls and Greeks alive beneath the Forum was again performed.[35] "So prevalent was the superstition, and this chiefly foreign," says the historian, "that either men or gods seemed to have been suddenly altered. Nor were the rites of Rome set aside in private merely. In public," exclaims the indignant

[29] Liv., XXII. 57.

[30] Id., XXIII. 14.

[31] Id., XXII. 60, 61. It was not the first time that the Senate denied concern for the fate of those who had been taken captive. See the case of the prisoners with Pyrrhus, Val. Max., II. 7. 5. The story of the survivors from Cannæ generally may be traced in Liv., XXIII. 31, XXV. 6, XXVI. 1.

[32] Liv., XXIII. 25.

[33] Id., XXII. 61.

[34] Appian., De Bell. Ann, 27. Liv., XXII. 57.

[35] Liv., XXII. 57.

narrator, "in the Forum and the very Capitol, were crowds of women, following the national ritual neither in their sacrifices nor in their prayers."[36] The Senate was obliged to interfere. This was a scene of a year or two later. But it could not have been without its earlier counterpart.

After the battle at Cannæ, the character of the contest changed. Defensive operations, on the part of the Romans, were far from being discontinued. But during the next nine years, forming the second period of the war, Hannibal was obliged to defend himself as well as to assault his enemies. The conflict, hitherto staked upon the talents of the generals in command on either side, had brought the Romans low, because there was none amongst them to match their marvellous antagonist. Now that they had gathered up their energies, they were a people arrayed against a general. Though the general was Hannibal, he could not but retreat before the people of Rome.[37]

Every day made it more evident to the Romans and to their foe that, though a field, like Cannæ, or a city, like Capua, might be won by the Carthaginians, the way to Rome was not the easier to be pursued. The seat of war still lay in the South of Italy, where Claudius Marcellus, sent to take command of the wreck at Canusium, gained the first

[36] Liv., xxv. 1.

[37] The tribute of his Roman biographer confesses to his continued superiority, even after the fortune of the war was turned. "Quamdiu in Italia fuit, nemo ei in acie restitit, nemo adversus eum post Cannensem pugnam in campo castra posuit." Corn. Nepos, Hann., 5.

advantages.[38] There, too, the best generals of Rome were successively employed to cope with Hannibal, whose resources grew more amazing in proportion to the difficulties repressing them. Such aid as he could gain from his Italian allies proved both feeble and variable, compared with the support which he had striven and still needed to acquire. The loss of Capua,[39] followed by that of the great city of Tarentum, which he had also taken,[40] was the prelude of the requiem to his hopes. Before either city was recovered by his steadfast enemies, Hannibal marched upon Rome itself, and rode up with two thousand horsemen to the Colline gate.[41] He must have felt that it was not for him to lay low the towers frowning upon him from the seven hills.[42]

There were other enemies besides Hannibal for the Romans to meet, and other armies besides those in Italy to be supported. One war broke out in Sardinia, another in Sicily, and a third in Macedonia; each of which was in itself a drain upon the Roman resources, until Sardinia was subdued, Syracuse taken, and Macedonia induced to conclude a peace.[43] Nor is the list of conflicts yet complete.

[38] Near Nola, in Campania. Marcellus was then Consul. Plut., Marc., 11. Liv., XXIII. 46.

[39] Liv., XXVI. 14.

[40] Id., XXV. 9, XXVII. 15.

[41] Id., XXVI. 10. A. C. 211.

[42] The story, that the ground on which Hannibal lay encamped near Rome was sold at the very time for its full value, may have reached his ears. Florus, II. 6.

[43] Liv., XXIII. 32, 33, 40, 41, XXIV. 28 *et seq.*, XXV. 31, XXIX. 11, 12. Polyb., VII. 2, 9. The capture of Syracuse by Marcellus was the great event of the times Liv., XXV. 24 *et seq.*, 31. The war there had ensued upon the accession of Hieronymus to the throne of his grandfather, Hiero.

At the time when Hannibal was on his way to Italy, an army was sent from Rome towards Spain, where its commanders, the brothers Publius and Cneius Scipio, were charged to protect the allies and to expel the enemies of the Commonwealth. Both the Scipios perished.[44] But their command passed to other hands.[45] Unimportant as the successes of the Romans might sometimes have appeared, in comparison with the risk of keeping a force on foot in Spain when there were so many nearer enemies, the enterprise was sustained by the desire to cut off Hannibal from his Spanish supplies. Cornelius Scipio, son of the Publius lately slain, and the same who was the hero of Canusium, offered himself as commander in the war. So much were its perils avoided and its triumphs slighted by the famous generals of the day, that the offer was accepted. Although he had borne only the office of Ædile, and that at an unprecedentedly early age,[46] Scipio was chosen Proconsul,[47] and despatched to Spain. Neither his own confidence nor that of others in him was deceived. The conquest of New Carthage, followed by the defeat of all the Carthaginian generals,[48] loosened forever the dominion founded by enormous efforts and relied upon for enormous returns.

Thus, both in and out of Italy, were the skies

[44] Liv., xxv. 34, 36.

[45] Lucius Marcius (see Val. Max., ii. 7. 15, viii. 15. 11) and Claudius Nero; Liv., xxvi. 17.

[46] See the account of his election in Liv., xxv. 2.

[47] Id., xxvi. 18. Appian., De Reb. Hisp., xviii.

[48] Polyb., x. 15. Liv., xxvi. 46, xxviii. 14, 15.

clearing. But the shadows cast by the clouds, as well as the chasms opened by the hail and the lightning, were to be lamented until the generation witnessing them had likewise passed away.

The appointment of commissioners to take measures to supply the want of money[49] is mentioned in the year of the defeat at Cannæ. Soon after, an embassy is described as having been sent to Egypt for the purpose of procuring corn.[50] Whatever were the necessities of individuals, those of the Commonwealth were always the first to be supplied. After the full brunt of the invasion had been borne, the Senate determined that the tax upon houses and lands should be doubled.[51] At nearly the same time, a consular proclamation was issued with the Senate's consent, commanding all the corn of the year, whether ripe or unripe, to be conveyed from the fields before a certain day,[52] for the purpose of preventing its going to feed the enemy. On one occasion, commissioners were appointed to proceed through the various cities and towns of Italy, in order to bring out all the recruits that could be had, both under and over age.[53] At another period, when seamen were needed, and the treasury was too much exhausted to provide for their support, an act of the Senate directed the Consuls to call upon all the richer citizens to find the sailors and their wages.[54]

A few years later, the demands upon private for-

[49] Liv., xxiii. 21.
[50] Polyb., ix. 44.
[51] Liv., xxiii. 31.
[52] Id., xxiii. 32.
[53] Id., xxv. 5.
[54] Id., xxiv. 11.

tunes for the like object were renewed. But in the interval so much had been suffered, that there was no longer the same readiness to furnish the men or the supplies required. Nor was there any thing strange in the murmurs of the people that they had only the bare and untilled ground to give. Yet all men, as well as Senators or Consuls, knew that, without a fleet, there could be no defence against Carthage or Macedonia, no protection of Sardinia and Sicily. When, therefore, at the suggestion of Valerius Lævinus, one of the Consuls, the Senators brought in their coin and plate, there were few or none who did not imitate them and make their offerings likewise.[55] These were the resources of Rome. And they were fully sufficient to parry and return the blows of any invader, were he ten times Hannibal.

Nor were these the only resources at the command of the Romans. When the defeats during the earlier part of the war had decimated the Senate, it was proposed to recruit that body from the most eminent men among the Latins.[56] To assent to such a proposal, though at a time when the fidelity of the Latins and the Italians was more than ever desirable, looked to the Romans too much like sacrificing principle to expediency. Accordingly, the surviving Senators united in opposing the admission of their subjects.

Perhaps as the stanchest in this decision, evi-

[55] Liv., XXVI. 35, 36. The account in Val. Max., V. 6. 8, is full of animation.

[56] Liv., XXIII. 22.

dently as the oldest of those who had been Censors, Marcus Fabius Buteo was created Dictator, with the especial charge of filling the Senatorial vacancies. Appointed without any Master of the Knights, and at the same time that another Dictator, Junius Pera, was in the field, Fabius came into the Forum to fulfil his duty. First addressing the people, in order to remove any doubts about his views in a matter of such importance as was intrusted to him, he directed the list of the present Senate to be recited aloud. He proceeded to name, in the place of the deceased members, one hundred and seventy-seven from those who had held any high offices or signalized themselves by any especial merit since the last formal election by the Censors. This being done with great approbation on all sides, says the historian, Fabius resigned the office which had been given him for the usual term of six months. Then descending from the rostra as a private citizen, he would have slipped away amongst the crowd, had they not watched him and attended him home with every mark of honor and of gratitude.[57] There is no scene more characteristic of the history in which we are engaged than that of this dictatorship. For in none were the laws of Rome, on the one hand, more humbly observed, in none were the claims of her subjects, on the other hand, more proudly rejected.

Another name of distinguished associations is that of Tiberius Sempronius Gracchus. After serving

[57] Liv., XXIII. 23.

as Master of the Knights with Junius Pera, he was elected Consul. In that capacity he received under his command, besides a goodly number of allied troops, a force of some eight thousand slaves who had offered themselves as volunteers.[58] On joining his army, his first care was to unite its various ranks, as though their length of service and their condition of life had been the same.[59] By this means he was able to carry on his operations with so much success, that at the end of the year, the command of the slaves, formed into two legions by themselves, was continued to him as Proconsul.[60] He soon marched to Beneventum. Thence on the approach of the Carthaginian general, Hanno, Gracchus sallied forth with some soldiers of higher standing besides the slaves, to whom he, with the previously obtained consent of the Senate,[61] promised their freedom, if they did their duty in the impending action. The forces of Hanno were so superior, that the issue of the engagement was for some time doubtful. But when the Proconsul ordered it to be proclaimed, that not a man should be set free unless the enemy were routed, the slaves, "changed into other beings,"[62] drove all before them. Some who had behaved less valiantly withdrew apart by themselves, when the victory was won by their worthier comrades. But Gracchus called them all before him, and announced that all were set at liberty, while those who had failed to do their whole duty

[58] "Volones." Festus. Liv., XXIV. 11. Cf. Val. Max., VII. 6. 1.
[59] Liv., XXIII. 35.
[60] Id., XXIV. 11.
[61] Id., XXIV. 14.
[62] Id., XXIV. 16.

were condemned in penance to eat and drink standing, instead of sitting, so long as they continued in the army. Full of gratitude, the brave for their distinction, and the timid for their pardon, the army, no longer one of slaves, marched back to Beneventum.[63]

The spirit, manifest in so many ways, was exhibited in the manner of conducting the elections from year to year. At the close of his third consulship following the disastrous year of Cannæ, Fabius Maximus returned from the army to the city, where the Centurias were gathered in the Campus Martius to make choice of his successors under his presidency. All was in the usual form, except that, as the assembly was held without the walls, the Consul could pass into it with lictors and fasces, the signs of his absolute authority. As soon as he had opened the election, the Centuria called the Prærogative, because it was appointed by lot to ballot before the others, gave its votes for two citizens, both respectable, but neither of them eminent for services or for capacities. The presiding Consul instantly interfered, bidding the people remember the exigencies of the times, and calling upon the Prærogative to reconsider its hasty choice. One of the candidates, Titus Otacilius, endeavored to remonstrate against his rejection by the Consul's command, after the demonstration that had been

[63] "So pleasant was the sight of them," says Livy (XXIV. 16), in speaking of their rejoicings at Beneventum, "that Gracchus, after he returned to Rome, ordered it to be painted in the temple of Liberty." The owners of the slaves refused to be paid for them until the close of the war. Liv., XXIV. 18.

made by his fellow-citizens in his behalf. But the power of Fabius, so long as the axe appeared in the fasces of his lictors, was more than any appeal could overcome, and Otacilius was obliged to be contented with a place in the prætorship, while Fabius himself and Claudius Marcellus were elected Consuls.[64]

A still more striking scene of the same sort occurred at the elections some few years afterwards. The Prærogative vote had been given for the identical Otacilius whose disappointment has just been related, together with Manlius Torquatus, an old Patrician of the highest dignity and consideration. But Manlius no sooner heard his name coupled with that of Otacilius, than he approached the tribunal of the presiding magistrate, and begged that the Centuria which had just voted might be recalled. Amidst congratulations from all sides on account of his election, he desired to be excused on the score of his infirmities, adding that the people must remember there were invaders in Italy whose chief was Hannibal. No allusion was made to the incompetency of Otacilius. But when Manlius withdrew, Otacilius was set aside.[65] Undoubtedly, the example of Fabius,[66] who favored, was more likely to be imitated than that of Manlius, who opposed his own elevation. The time required, as would be said, the best men; and it was their duty to

[64] Liv., XXIV. 7–9.

[65] Id., XXVI. 22.

[66] As when it was followed by Fulvius Flaccus, who, presiding as Dictator over an election, maintained that he himself should be voted for, though two Tribunes said nay. Id., XXVII. 6.

bring themselves forward. Yet the repeated choice of a few citizens, leading them to believe in a sort of hereditary right to the public honors, led on to consequences that will be observed hereafter.

Not even the excitement of the war with Hannibal could overcome the reverence for law which the Romans, generation after generation, had been trained to show most profoundly in circumstances that seemed to dispense with it altogether. If there were some who yielded to the temptations or to what seemed the necessities of the times, there were more to maintain the laws that might be aggrieved.[67] The aspect of the nation in its still continuing prime is that of men who submit because they love, rather than because they fear the institutions claiming their allegiance. When the son of the great Fabius, elected Consul for his father's sake, was in the field, the old man proceeded to the camp, with the intent of serving amongst the lieutenants of the consular army.[68] As he rode up, the soldiers thronged to meet him, and with the rest came forth the Consul, attended by his lictors, to give his father welcome. Yet as Fabius continued his approach without dismounting in the Consul's presence, his son sent one of his lictors to bid his father alight. The crowd stood wonder-struck that the greatness of their hero, says the biographer, should be so wronged.[69] But

[67] As in the cases of Postumius Pyrgensis, for public fraud, Liv., xxv. 3, 4, and Cneius Fulvius Flaccus, for alleged cowardice in command of an army, Id., xxvi. 2, 3. Compare the prohibition of strange religious rites, Id. xxv. 1; yet see the account of the new games, Id., xxv. 12.

[68] Liv., xxiv. 44.

[69] Plut., Fab., 24.

Fabius dismounted and hastened on foot to embrace his son, telling him he was right to respect and to enforce the majesty of the office which he held. So gladly did the father, even in Rome, give way to the greater authority of the laws. It was through this temper that liberty had been won, and was now defended, amongst the Romans.[70]

Yet all their resolution would have been unequal to the present contest had they not been supported by the allied and the dependent Italians. As we advance, it becomes apparent how much the division of the conquered, race from race, and each from its own associations, contributed to the safety of the conquerors. All the kindred[71] people, the Latins, the Sabines, and the Etruscans,[72] in their separate districts, were more closely united to their metropolis by the very dangers that tempted the Samnites and most of the Southern Italians[73] to combine with the Carthaginians. When twelve Latin colonies returned word to Rome that they had no men or money left to furnish,[74] eighteen others were the more resolved to sustain the cause.[75] Nor

[70] As Milton says in his Sonnet to Vane: —

"When gowns, not arms, repelled
The fierce Epirot and the African bold."

[71] Livy would say the more aristocratic: — "Unus velut morbus invaserat omnes Italiæ civitates, ut plebes ab optimatibus dissentirent; senatus Romanis faveret, plebs ad Pœnos rem traheret." XXIV. 2. Cf. XXIII. 1, 6, 20, 39.

[72] If the dreaded revolt of some Etruscans had any foundation, it had no consequences. Liv., XXVII. 21 *et seq.*

[73] The people of Neapolis and Pæstum were faithful. Liv., XXII. 32, 36. So were those of Cumæ and Nola in Campania, and the Pentrians or Northern Samnites. Even in the revolted districts there might be colonists to stand fast.

[74] Liv., XXVII. 9.

[75] See the thrilling relation which Livy gives of the effect produced at Rome by the fidelity of these eighteen. XXVII. 10.

was another colony or town persuaded to waver with the twelve.

While Claudius Nero, Consul in the eleventh year of the war, was at the head of an army, watching the enemy in the South, he got possession of despatches from Hannibal's brother, Hasdrubal, announcing his expected arrival in the North with reënforcements from Spain. Claudius did not hesitate a moment as to the course which lay before him. The time was come to confirm or to dispel the misgivings concerning the new invader and the lack of able generals[76] that had been apparent at the election of himself and his colleague.[77] Sending Hasdrubal's letters to the Senate, Claudius announced his determination to proceed with the flower of his army to join his colleague, stationed in the North. There should the Carthaginian be struck down before taking a step farther into Italy. The Consul also addressed his orders to the people on the road to prepare provisions and means of transport, so that there might be no delay to the work upon which his heart was set and the safety of his country was again at stake. The exertions previously made for the campaign were crowned by the spirit of Claudius Nero and of the entire people who still bore the name of Rome as subjects or as citizens.

Even in the city, where nothing could be done to hinder or to help the sudden enterprise of the

[76] Gracchus and Marcellus were both dead; Fabius was too infirm to serve; and Scipio was in Spain.

[77] Liv., XXVII. 34.

Consul, there was a hopeful rather than an anxious confidence concerning the issue. Through the country lying in his line of march, the zeal of the inhabitants to supply the necessities of the hurrying army promised victory before the foe was found.[78] Upon the invaders crossing or hoping to cross on dry ground, back flowed the tide. Dismayed by the union of the consular forces, Hasdrubal first sought to retreat beyond the river Metaurus. He was overtaken and overwhelmed with his whole army.[79] Claudius returned southwards with the head of his fallen foe, which he ordered to be flung before the Carthaginian outposts. It was carried to Hannibal, who had looked for a sight of his brother alive and victorious. "I recognize," he said, "the fate of Carthage."[80] At Rome, the thanksgivings to the gods and the congratulations amongst the citizens proclaimed that the war with Hannibal was at last decided.[81]

The year after the victory by the Metaurus, Scipio came back to Rome from five years' service as Proconsul, having left, as he told the Senate, not a single Carthaginian in Spain.[82] The people, rejoiced to match a hero against their enemy still lingering in the South, declared Scipio their Consul. He at

[78] See the glowing narrative of the march in Liv., XXVII. 43–45.

[79] A. C. 207. Liv., XXVII. 48, 49.

[80] "Hannibal, tanto simul publico familiarique ictus luctu, agnoscere se fortunam Carthaginis fertur dixisse." Liv., XXVII. 51.

"Occidit, occidit
Spes omnis, et fortuna nostri
Nominis, Asdrubale interemto."
HOR., *Carm.*, IV. 4. 70–72.

[81] Liv., XXVII. 51.

[82] Id., XXVIII. 38. He had not only cleared Spain of the Carthaginians, but had crossed to Africa, and achieved an alliance with the king of a part of Numidia. He had also overcome an insurrection amongst several Spanish tribes, and a mutiny in the Roman army after his return to Spain. Liv., XXVIII. 17–19 *et seq.*, 24 *et seq.*

once gave out that he was elected in order to conclude the war, and that the only means of fulfilling this universal expectation was to take the field in Africa and there stab Carthage to the heart. After great opposition, chiefly on the part of the Senate, the province of Sicily was assigned to the still youthful Consul, with a permission, of which it was not intended that he should avail himself, to pass over to Africa, if he thought it good for the Commonwealth.[83] He set sail forthwith for Sicily. There he was obliged to tarry until the following year, the third from the battle of Metaurus. But then, followed by volunteers whose enthusiasm seconded alike his intrigues and his blows, he crossed to the African shore. The Carthaginians were obliged to call back Hannibal.

He, meanwhile, as if transformed from the springing to the crouching lion, had lain in wait, hoping at first that his younger brother, Mago, might reach him, though Hasdrubal had failed. When this prospect proved illusory, Hannibal still remained close in his southern haunts, liking better to threaten the nation whom he could not conquer than to rid them of the fears which he could still arouse. Sent for, at length, to defend the home, if such it could be called, from which he had so long been absent, he is said to have scarcely refrained from tears. "I have been overcome," he exclaimed, "not by the people of Rome, but by my own countrymen."[84] It was but the truth to say that the war had been

[83] Liv., xxviii. 46.

[84] Id., xxx. 20.

prepared in defiance of faction and indifference at Carthage by Hamilcar Barca, to be carried on by his children, "the whelps," as he had declared, whom he was rearing against his hated foes.[85] Fifteen years[86] had Hannibal held a large portion of Italy. When he abandoned it, three hundred thousand Romans had perished.[87]

The last blows against the doomed and tottering Carthage were dealt within the next two years. All that could be wrought through buoyant faith or ardent energy was done at Rome. The poet Nævius chanted the glories of the earlier Punic war.[88] The image of the mother of the gods,[89] transported from Phrygia in obedience to an ancient oracle, was enshrined with great rejoicing. Beyond the sea Scipio achieved his part. Nor did the return of Hannibal prevent the defeat of the Carthaginian forces at Zama,[90] sixteen years from the beginning of the war. It was then, at Hannibal's persuasion, that peace was made.

The overthrow of Carthage was decisive, if not literally complete. Her walls yet stood. The palaces of her rich men were still strown with luxuries. The temples of her gods were still blood-stained with sacrifices. But the Roman captives and deserters were delivered up. A large tribute in money and in corn was promised. Elephants and ships of

[85] Val. Max., IX. 3. 2, Ext.

[86] From A. C. 218 to 203. Fabius died in the latter year. Plut., Fab., 27.

[87] Appian., De Reb. Pun., 134.

[88] The poem was written in his old age. Cic., De Senect., 14. See the following chapter.

[89] Cybele, the Idæan mother, as she was also called. Liv., XXIX. 10 *et seq.*

[90] A. C. 202. Id., XXX. 32 *et seq.*

war were surrendered; and it was furthermore agreed that the Carthaginians should never resume their arms but with the consent of their conquerors.[91] So was the older tree lopped, that the younger might have growth and space above the earth.

Fabius Maximus is said to have likened Hannibal to a flame suddenly blazing and as suddenly extinguished.[92] Out of the obscurity in which the Carthaginians lived behind their age, he had shot forth in more than the ordinary lustre of a hero. No mere conqueror could have won the attachment as well as the obedience of Africans and Spaniards, of Gauls and Italians. No mere conqueror could have turned back from conquest to defend the countrymen whose neglect of him had brought them into danger. The want of all congeniality between Hannibal and the Carthaginians is the crowning proof of his superiority.[93] But into their darkness his brightness fell again and was extinguished.

His country was declining. The exertion to which he would have roused it quickened the process of exhaustion. It was the flame that warms, to which Hannibal should have been compared. But in vain did it give out heat, in vain did it seek fuel in return, while the air was growing thinner with every year and every day.[94]

Scipio, on the contrary, belonged to the rising

[91] Polyb., xv. 18. Liv., xxx. 43. Dion. Cass., Fragm. CLV. These terms were concluded A. C. 201.

[92] Plut., Fab., 2.

[93] Polybius (IX. 22) and Dion. Cassius (Fragm. XLVII.) are both his eulogists.

See Napoleon's judgment upon him in the Mémorial de Ste. Hélène, tom. II. p. 438, éd. illustr.

[94] Hannibal's continued devotion to the interests of Carthage, his exile, and his death, about twenty years after the war, are all concisely related by Corn. Nepos, Hann., 7 *et seq.*

state. Not his was the office of infusing new blood into its veins. Its blood coursed more swiftly than his own. Nor was his the labor of communicating new vigor to its limbs. It was more vigorous than he. The blow that was to lay its enemy low had been prepared by years of action and of suffering.[95] To be directed where and when the blow should be dealt, was all that Rome required.

For this, Scipio donned his arms.[96] His greatness, unlike that of Hannibal, depended upon his adaptation to the circumstances of his country and his countrymen. His knowledge of men, his consultation with the gods, his confidence in himself, his subserviency to the laws, were all the characteristics of his nation. It was this congeniality between the Roman people and their hero that enabled him to assure their victory. It was this that inspired them to give him his reward. Not only was his triumph celebrated with unexampled magnificence,[97] but it was proposed to set his statue in the squares and temples, and even to make him Consul or Dictator for life. These unwonted honors had no charm for so true a Roman.[98] All that he accepted, besides his triumph, was the surname of Africanus, in memory of his renowned achievements at Zama and at Carthage.

[95] As Cicero perceived, when he wrote of the war as one which "excitatum majoribus copiis, aut Q. Maximus enervavisset, aut M. Marcellus contudisset, aut a portis hujus urbis avulsum P. Africanus compulisset intra hostium mœnia." De Rep., I. 1.

[96] "Fatalis dux hujusce belli." Liv., XXII. 53.

[97] Id., XXX. 45.

[98] Val. Max., IV. 1. 6; where it is added,—"Pæne tantum in recusandis honoribus se gessit, quantum gesserat in emerendis." See Liv., XXXVIII. 56.

Not without sorrows and wrongs was the victory gained. The treatment of the rebellious allies or subjects was more cruel[99] than had yet been the wont of the Romans when they conquered. The number of slaves was greatly increased in consequence not only of the success that had been won, but of the luxury that was winning its way amongst the victors. Faster even than was proportionate to the extension of dominion, grew the extreme wealth that was as sure to engender corruption amongst its possessors as it was to produce misery amongst those left in extreme poverty.[100] Above all other immediate results of the war, was the unavoidable thinning of the old Roman race that had fallen by thousands and tens of thousands, leaving its places to such as prospered amongst the new-comers. Although these things could not then present themselves as we now see them, a Senator was moved to declare his doubts whether greater good or evil had come from the victory over Carthage.[101]

The biographer was all amazed at the men who had repelled Hannibal. "In their youth," he wrote, "they fought with the Carthaginians for Sicily; in

[99] As in Syracuse and Capua. Liv., xxv. 31, xxvi. 14, 16. It was but the beginning, however, of a change in policy; the old system being observed in the forgiveness of many of the Southern Italians. Appian., De Bell. Ann., 60.

[100] Such laws as the Cincian (A. C. 204) against the offence of bribery on the part of judges, or the Oppian, of an earlier date (215), against the extravagances of women, are unmistakable signs. Tac., Ann., xi. 5. Liv., xxxiv. 1. A few lines from one of the fragments of Sallust's Histories (lib. i.) complete the picture: — "At discordia, et avaritia, atque ambitio, et cætera secundis rebus oriri sueta mala, post Carthaginis excidium maxime aucta sunt." See the same thing in Vell. Pat., ii. 1.

[101] The Senator was Quintus Metellus. Val. Max., vii. 2. 3. Compare the boast of the Consul Lævinus, Liv., xxvi. 35.

their manhood, with the Gauls for Italy; and again, in their old age, with Hannibal and the Carthaginians." [102] After the fall of Carthage there was no nation that seemed fit to stand against the Romans.[103]

[102] Plut., Marc., 1. See also Cic., De Nat. Deor., II. 66, and the eulogy on Metellus in Plin., Nat. Hist., VII. 45.

[103] "Post Carthaginem vinci neminem puduit." Florus, II. 7.

CHAPTER XX.

INTELLECTUAL POWERS.

"The manly virtues were undoubtedly to be found among them; but to the perfection of the human character it is necessary that these should be softened by humanity and dignified by knowledge."

SMYTH, *Lect.* I. *on Modern History.*

WE are reading of the Romans as of the instruments employed to effect the humiliation of antiquity. They would have read of themselves as achieving their own exaltation amidst an otherwise universal abasement.

From either point of view, they appear as men whose powers could not be fully developed. What they needed, physically, was the strength to beat down the surrounding nations. What they required, intellectually, was the mind to plan the battle in which they met their foes, or to frame the law by which they ruled their subjects. More than these powers would have interfered with their purposes of destruction and of dominion.

Yet there were other men than those of action at Rome. There were other powers, also, besides those in which mere men of action most prided themselves. Men of thought, and, to some extent, of vision, had already appeared. Appius Claudius has

been mentioned as having distinguished himself in the guise of a poet and a philosopher. Fabius Pictor had followed as a historian. In lower walks, the minstrel and the playwright had taken their places amongst the people. Such as these were exercising the powers more peculiarly, perhaps, to be termed intellectual, in contradistinction to the mental abilities of the men of action, — the warrior, the citizen, and the sovereign.

These intellectual powers are here to be taken into account. Shall we behold the Roman poet creating, while the Roman soldier was destroying? Shall we find a demand and a supply of the serener powers of the intellect amongst a nation continually involved in disturbed elections and in confused campaigns? If we do, we must enlarge our estimate of the liberty of Rome.

Touching the supply, so to speak, of the higher intellectual powers, we have to weigh the inspiration that there was to call them forth. Much there could not be. The public cause called forth other powers than these. These it might accept in its service. But these were not the powers upon which it most depended, and which it therefore most inspired. In private, education was considered as the means of developing the capacities demanded and honored in public.

A writer of a subsequent period dwells with regretful enthusiasm upon the time when "the child was reared in the lap and bosom of its mother." "Of her," he adds, "the crowning glory was to watch over her household and attend to her children.

. . . . And such," continues the fervent lover of the past, "such was the effect of this training, that the mind of each one, pure, sound, and undeformed, could devote itself unreservedly to all honorable studies, such as the art of war, the science of law, and the culture of eloquence."[1]

It is a pleasing picture. But it cannot be said to have been painted after nature. Deep in the heart of the mother existed the love which no human ordinance created, and which no human ordinance could destroy. But all that her love could do was to smooth the way in which the influence of other teachers would act upon her child. From exercising influence of her own, as a teacher, she was shut out by the sentiments and by the laws of her race. The great dramatist of the age compares the young to buildings reared by their parents, as architects, to whom is attributed all that skill, all that kindness could do. This is the bright side. On the other side, the dramatist sets before us youths committed to the charge of slaves, from whom they escape, wild with ignorance and lust.

The imperfect supply of the nobler intellectual powers is explained by the imperfect demand for them. This may be set in a clearer light, by observing the ends to which the existing intellectual powers were directed.

The first of these ends was the entertainment of the many. It might be to divert the attention of the multitude from the fears aroused in adversity,

[1] Dial. de Orat., 28.

as when dramatic spectacles were introduced from Etruria.[2] Or it might be to satisfy the hopes excited in prosperity, as when the drama assumed a more imposing aspect under the hands of Livius Andronicus, soon after the first peace with Carthage.[3] The more varied the hopes or the fears of the many, the more varied did their diversions need to be.

Maccius Plautus was by birth an Umbrian. While struggling with hardships at Rome, he wrote some plays of which the success raised him to the highest rank amongst the ministers to the public amusement. He lamented, or made a show of lamenting, the baseness of the personages whom, for the want of others, he was obliged to portray.[4] The lamentation may stand as a confession of imperfect powers on the part of the dramatist. But it must also be taken as an indication of still more imperfect powers on the part of the audience. It was not mere refinement that failed. It was intelligence likewise.

At the same time, there are many touches in the dramas to relieve the aspect of the playwright and the play-goers. He brings before them vivid sketches. The robust fishermen gather upon the shore.[5] The street resounds with all its hurry, strife, and clamor.[6] Such scenes could not have entertained spec-

[2] Liv., VII. 2.

[3] A. C. 240. Aul. Gel., XVII. 21. Cic., Brut., 18. "The Romans," says A. W. Schlegel, "owed the first idea of a play to the Etruscans, ... and of a higher class of dramatic works to the Greeks." Dramat. Liter., Lect. XV. Livius Andronicus was a freedman of Tarentum.

[4] See his own list in the Captivi, Prol., 55 – 58.

[5] Rudens, Act. II. sc. 1.

[6] Mercator, Act. I. sc. 2.

tators without taste or imagination. Higher sensibilities on their side, higher effects on the side of the art acting upon them, appear in other passages. The lady lends her lips to the praise of valor.[7] The love of parent and child,[8] of husband and wife,[9] of friend and friend,[10] of master and slave,[11] come out in forms that would sanctify a ruder stage. From the deeds of earth the dramatist turns to those of his heaven. What he finds to be divine he reverences. But what he finds to be human, and even lower than human, he derides.[12]

Terentius, a boy when Plautus died, yet his first successor, belongs to a later day than that at which we have actually arrived. Born in Carthage, and probably of some poor family, Terence seems to have been brought in bondage to Rome by a Senator, Terentius Lucanus, whose name he assumed on being subsequently emancipated. His patron, struck by his quickness of mind, had allowed him to be educated while still a slave. The freedman was thus enabled to become the favorite dramatist of the Roman people.

The writings of Terence bear no very favorable testimony to the intellectual powers of his generation. Once free from the impression produced by

[7] "Virtus prœmium 'st optumum. Virtus omnibus rebus anteit profecto. Libertas, salus, vita, res, parentes, Patria et prognati tutantur, servantur; Virtus omnia in se habet: omnia adsunt bona, quem penes est virtus." Amphit., Act. II. sc. 2.

[8] In the Captivi.

[9] In the Stichus.

[10] In the Trinummus.

[11] In the Captivi and the Truculentus.

[12] See the whole play of the Amphitruo, in which derision of Jupiter is an especial feature, capped by the line at the close: —

"Nunc, spectatores, Jovis summi causa clare plaudite."

his gracefulness,[13] his readers find themselves provided with little besides copies of unsubstantial originals.[14] So long as the usual changes were rung upon bondmen and dotards, spendthrifts and courtesans, the spectators cared nothing about their being original or borrowed characters. Under the management of Terence, however, few but the connoisseurs in form and rule could have been interested in the drama. Such as sought excitement in the portrayal of earnest character or of profound emotion could not have been satisfied by the plays of Terence. Still less could he content the larger number who preferred bubbling jests or breaking passions to any deeper currents of the dramatic art. In one of his prologues, Terence deprecates the outcries by which the representation was apt to be interrupted.[15] In another, he hints that the play had been "neither seen nor heard" on its first performance, in consequence of the superior attractions of a rope-dancer.[16]

Yet there could be no caterer to the public taste more deferential than Terence. The first duty of the dramatist, he averred, was to see that his dramas pleased the people.[17] It was a duty which Terence fulfilled at every cost. He slighted the affections

[13] Montaigne calls Terence "La mignardise et les graces du langage latin." Essais, Livre II. ch. 10.

[14] "Ex integra Græca integram comediam
Hodie sum acturus."
Heauton., Prol., 4, 5.
See Eunuch., Prol., 30 *et seq.*, 41; Andria, Prol., 18 *et seq.* The name which Cæsar gave him was bitter enough: — "O dimidiate Menander!" Terent. Vit., 5.

[15] Heauton., Prol.

[16] Hecyra, Prol.

[17] "Poeta quum primum animum ad scribendum appulit,
Id sibi negoti credidit dari,
Populo ut placerent quas fecisset fabulas."
Andria, Prol.

that rose above the prevailing indifference.[18] He jeered at the sympathies that stretched beyond the common bounds.[19] A slave in youth and a dependant through life, Terence drew no claim to independence from his intellectual powers. Liberated by his patron, he entered into the service of all who were high,[20] all who were low, at Rome.

Thus was the entertainment of the many made the object of intellectual exertion. Another object pursued by the same means was the glorification, as it may be styled, of the few.

This had long before appeared. The legends in which the early history of the Romans is supposed to have been enshrined resounded with the fame of the dominant houses. When the rude revels of the olden times were first tempered, it was by the chants which the revellers sang to the glory of illustrious men.[21] Gay or grave as these different lays may have been, they were subdued to the same tone of eulogy upon the Roman rulers.[22]

Cneius Nævius, probably born in some part of Campania, came in early youth to Rome. Catching the excitement created by the war with Carthage, he

[18] As in the Andria, Act. 1. sc. 6.

[19] As in the Heauton., *passim*, but especially in the famous line, "Homo sum," etc., (Act. 1. sc. 1. 77); than which there was never intended a greater satire upon philanthropy.

[20] Such as the younger Africanus and his friend Lælius, whose intimacy with Terence was so great, that he was charged with seeking or accepting their aid in the composition of his plays. See his lines, Prol. to Heauton., 22 *et seq.*; Prol. to Adel., 15 *et seq.* The refutation (somewhat contrary to his own tone,) is in Terent. Vita, 2, 3, 4.

[21] "Utinam extarent illa carmina," exclaimed Cicero, "quæ multis seculis ante suam ætatem in epulis cantitata a singulis convivis de clarorum virorum laudibus, in Originibus scriptum reliquit Cato." Brutus, 19.

[22] "Pallium togæ subjici debere arbitrabantur." Val. Max., II. 2. 2.

enlisted in the Roman armies. But his laurels were not those of the warrior.

He turned from the field to the stage, for which he composed dramatic pieces.[23] Weary of amusing the multitude, he then addressed himself to glorifying their heroes. A poem came forth ringing with the incidents of the war in which he had served, and animating the opponents of Hannibal in their more eventful conflict. So stirring strains[24] had not yet been waked at Rome.

But Nævius was trenching upon perilous ground. Earnest in lauding the departed, he forgot to give the living the adulation which they could not but claim from such a minstrel. Presently, the chief men at Rome, the Metelli[25] and the great Scipio,[26] found themselves assailed. The days of the Campanian who had dared to use his powers against his masters were ended in banishment.

The warning was fresh when Quintus Ennius, a Calabrian, took up his residence upon the Aventine.[27] No man was he to provoke the fate of the exiled Nævius. Assuming the office of instructor to the high born youths under whose fathers he had served in war and was then dwelling in peace, En-

[23] Aul. Gell., XXVII. 21.

[24] "Nævius qui fervet." Sedigitus, ap. Aul. Gell., XV. 24.

[25] He wrote a bitter line: —

"Fato Metelli Romæ fiunt Consules;"

to which one of the Metelli replied: —

"Dabunt malum Metelli Nævio poetæ."

Ascon. in Cic., In Verr., Act. I. 10.

[26] Aul. Gell., VI. 8. The same writer (III. 3) says that Nævius was imprisoned, "ob assiduam maledicentiam et probra in principes civitatis."

[27] It was Porcius Cato who met Ennius in Sardinia, and induced him to visit Rome under his protection. In De Vir. Ill., XLVII., Ennius is mentioned as having been Cato's instructor in Greek.

nius bent his whole mind to the exaltation of his patrons, young and old.

It was in this spirit that Ennius composed his Annals. Thus he called the poem in which the splendors of Rome were concentrated, as it were, into a single ray of glowing song. He did not turn to the past, for its own sake, so much as to warm the pride and to gild the power of those to whom the present bowed submissive. If the poet sought the associations of elder days, it was not to describe them as distinct from his own times, but rather so to link them all that the living might claim the honors of the dead. One of the few remaining fragments of the poem expresses a doubt concerning the divine providence in which some were fain to believe.[28] The providence on which Ennius depended was altogether human.

Great in his eyes and in those of his contemporaries was his reward. The patronage of the rich and the powerful flowed in upon him unceasingly. One of his pupils procured him the honor of citizenship. His chosen hero, Scipio, promised that the ashes of the poet should have a resting-place beside his own.

The poets and the dramatists here mentioned belonged to the inferior classes. Amongst their superiors few names are recorded as distinguished by merely intellectual achievements. But there were some pursuits which the dominant orders claimed

[28] "Ego deum genus esse semper dixi, et dicam cœlitum;
Sed eos non curare opinor quid agat humanum genus."
Ap. Cic., De Divin., II. 50.

as exclusively appropriated to themselves. Such was history, the peculiar possession of the Roman, as of all ancient rulers.[29] Their subjects could have no more right to compose it than to figure in it as its heroes. Such, too, were the honorable arts, so called as if their votaries relied upon them as the means of exacting honor from other men. They have been enumerated as the arts of war, of jurisprudence and of oratory. War was the force, jurisprudence the right, oratory the parade, with which the Romans ruled. These, emphatically, were the intellectual powers by which the few were glorified above the many.

The ends towards which the Romans directed their intellectual exertions were such as could be attained without original powers. While they could plunder or imitate the creations of other nations, there was no need of their creating for themselves. It would have been beneath them to think that they must begin where other races had begun, or labor as others had labored. Moreover, they lacked a language favorable to the expression of original conceptions. "Greek," exclaims their greatest writer, "is read amongst all people. Latin is confined within its own boundaries, and they are small indeed." [30] It pleased the masters of the ancient world to claim possession of all that stood expressed in the wider tongue, rather than to use the other in displaying their own powers.[31] The farther stretched the

[29] "Historiam . . . . non nisi ab honestissimo quoque scribi solitam." Suet., De Clar. Rhet., 3.

[30] Cic., Pro Archia, 10.

[31] Valerius Maximus (II. 2. 2) mentions, "inter cætera obtinendæ gravitatis indicia" that the Roman magistrates of old would use no

Roman dominion, the narrower seemed the range of the Roman language. The more limited seemed the reach of the Roman mind. Fainter and fainter became its creative powers. Fewer and fewer shapes, before unknown in song or in art, rose amidst the artists or the poets of the nation.

The liberty of the Romans was not to be increased by the originality or the development of their intellects. The works on which they were employed, the triumphs in which they thought that they were employing themselves, evoked none of the nobler intellectual powers.

other language but their own, "quo scilicet Latinæ vocis honos per omnes gentes venerabilior diffunderetur."

CHAPTER XXI.

CONQUESTS EAST AND WEST.

"Thus up the hill of empire slow they toiled:
Till, the bold summit gained, ...
Then o'er the nations they resistless rushed,
And touched the limits of the failing world."

THOMSON, *Liberty*, Part III.

"WEARIED were they," says the historian, as his Romans emerge from their war with Hannibal, "wearied by the protracted strife, wearied by its labors and its dangers."[1] To such conquerors there could be no repose. The penalty of achieving conquests so great was the necessity of achieving others still greater. Immediately after the peace with Carthage, hostilities were declared against Macedonia.[2]

It was some years later, that a difficulty actually occurred in recruiting the armies. What was then addressed by one of the enlisted to those who hesitated to enlist may be taken as a portrait of the Roman soldier. "I am Spurius Ligustinus," he said, "of Sabine stock and the Crustuminian Tribe. My father left me a juger of land and a little cottage, where I was born, and where I still dwell.

[1] Liv., XXXI. 6.

[2] A. C. 200.

Thirty years ago I enlisted for the first time, and served in Macedonia as a private soldier for two years, when the command of a company was given me, because of the valor I had shown. As soon as we got back to Italy and were disbanded, I set out, as a volunteer, for Spain, but was there promoted to a higher post than I had held in Greece. Afterwards I volunteered in the great Eastern expedition, and was put at the head of the first company of all. Then I came back, but still kept myself in service, going twice to Spain, and having had, within a few years, the first company four times under my command. Four-and-thirty times have my generals rewarded me for bravery, and six civic crowns have been given me for having saved the lives of Roman citizens in battle. Altogether, I have served for two-and-twenty years, and am now past fifty years old. So, then, I might be excused, I think, from any further duty, especially as I have four sons in the army. But I trust you will take my words for what they are meant, when I say that, as long as any one who holds a levy thinks me fit for service, I will never shirk the call, and will always try, too, that no better soldier shall be found in the whole army."[3] While men like Spurius Ligustinus stood waving their swords, others would follow. The career of conquest would not be checked for want of conquerors.

The conquests succeeding those in the South may be divided into two great masses. Of these, the

[3] Liv., XLII. 34.

one embraced the East, the other the West. The Gauls beneath the Alps and the Spanish tribes beyond the Pyrenees were the Western foes. The Eastern were the shattered states of Greece.

Upon this country the clouds had long been descending. Vainly did Agis and Cleomenes, the kings of Sparta,[4] endeavor to restore the ruined laws and the fallen spirits of their countrymen. Equally unsuccessful was the Achæan league, notwithstanding the number of its members and the heroism of their chief, Philopœmen, the last hero, as his biographer exclaims, whom Greece brought forth in her age.[5] In the North, the only governments left were those of the Ætolian league and of Macedonia, both sinking beneath the ceaseless disputes in which they were involved. Beyond the Ægean, Antiochus, the third Syrian king of that name, and so distinguished in the East by his comparative prosperity as to be called the Great, held the Grecian cities of Asia Minor. His designs upon the Grecian states were disclosed by his invasion of the Thracian Chersonesus, then a frontier province of Macedonia.

But upon Antiochus, as upon Macedonia, Ætolia, Achaia, Sparta, and the whole of Greece, the Roman armies broke with blows that could scarcely be for an instant parried, much less for any time endured. The second war with Macedonia, begun immediately after the peace with Carthage, and decided within four years by the battle at Cynos-

[4] Agis reigned from A. C. 244 to 240; Cleomenes from 236 to 220. See Plutarch's Lives.

[5] Plut., Philop., 1. Philopœmen lived from A. C. 252 to 183. Aratus preceded and Lycortas followed him in the same hopeless cause.

cephalæ,[6] cut off that kingdom from its hold upon the rest of Greece, to whose helpless people the famous proclamation of liberty was made at the following Isthmian games.[7] A half-century succeeded, of which no single year was marked by the spirit once living and toiling in Homer, Solon, and Socrates. The Ætolians, though supported by Antiochus, were soon humbled.[8] The Syrian, overcome at Thermopylæ [9] and Magnesia,[10] was glad to obtain peace by surrendering his dominions in Asia Minor.[11] One more skirmish with Macedonia, under its new king, Perseus, was the end of that monarchy.[12] Next fell Illyria and Epirus.[13] Twenty years later, the southern countries were overrun in what was called the Achæan war.[14] Then the very name of Greece disappeared in the provinces of Macedonia and Achaia.

Yet mere rumors of war after war convey but a faint idea of the manner in which the few traces of liberty in Greece were overswept as by the sand-waves of a fierce simoom.

The Consul Æmilius Paullus, the son of him who fell at Cannæ, was the conqueror of Macedonia, Illyria, and Epirus. After settling the two former countries, he proceeded into the third, which

[6] A. C. 197. Liv., XXXIII. 9, 10.
[7] A. C. 196. Id., XXXIII. 32, 33. Polyb., XVIII. 29.
[8] A. C. 189. Liv., XXXVIII. 11.
[9] A. C. 191. Id., XXXVI. 18, 19.
[10] A. C. 190. Id., XXXVII. 38 *et seq.*
[11] A. C. 188. Id., XXXVIII. 38.
[12] At Pydna, A. C. 168. Liv., XLIV. 41 *et seq.* Two pretenders to the throne, twenty and twenty-five years afterwards, were easily overthrown.
[13] A. C. 168–167. Id., XLIV. 30, 32, XLV. 18, 26.
[14] A. C. 147–146. Polyb., XLI. 11.

the Senate had marked out as the prey of the victorious army. Straightway ten of the principal men belonging to each town of Epirus were summoned to the presence of the Consul. It was to receive his orders that, on a stated day, they should produce whatever gold and silver their temples or their coffers might contain. Each deputation was then dismissed with a guard of soldiers directed to enforce the execution of the commands which their general had issued.

How terrible these were had not yet been made known to the Epirotes. At the appointed time, the gold and silver were surrendered to the Roman soldiers. As soon as they had placed their booty in security, they broke forth, in obedience to their officers, to ransack the towns for further spoils. "Thus," says the Greek biographer of Æmilius Paullus, "thus, in one hour, were one hundred and fifty thousand men made slaves, while seventy towns were laid desolate."[15] Yet never had a triumph been so celebrated as that of Æmilius Paullus on his return to Rome.[16]

Southwards, in the heart of Greece, was a city long since dishonored, but wearing an unblushing and a magnificent mien.[17] Nor did the better days of Corinth appear to have altogether passed, as it essayed to put away its habits of revelry and li-

[15] Plut., Æm. Paull., 29. Liv., XLV. 34. In A. C. 167.

[16] Liv., XLV. 35, 40, 41.

[17] "Achaiæ caput," exclaims Florus (II. 16), "Græciæ decus, inter duo maria, Ionium et Ægæum, quasi spectacula exposita." "Urbs toto tunc orbe," writes Orosius (v. 3), "longe omnium opulentissima; quippe quæ velut officina omnium artificum atque artificiorum et emporium commune Asiæ atque Europæ per multa retro secula fuit."

centiousness, and bear a prominent part in the struggles of the Achæan league. But on the appearance of the Consul, Lucius Mummius, before the walls, the Corinthians, deserted and broken spirited, succumbed to captivity and death. Their treasures were seized. Their homes were fired. Their city was left a skeleton in ashes.[18]

The surname of Achaicus, though bestowed on account of the conquest of Achaia rather than of the conflagration of Corinth, was the reward of Mummius the Consul.[19] The only respect in which he appears to have been below the standard of other eminent men was his exceeding ignorance of art. He allowed, it is said, his soldiers to use a famous painting for a dice-board,[20] while he bade the shippers employed in transporting his spoils to Rome observe that he held them bound to replace any statue or picture which they might lose.[21] That he had been the destroyer of an entire city and of an entire people, was not regarded as blameworthy. But a little while afterwards, his colleague in the censorship blamed Mummius for being not too severe, but much too mild.[22]

The year marked by the fall of Corinth witnessed the final overthrow of Carthage. A third Punic war, so called, was begun, apparently because

[18] Florus, II. 16. Oros., v. 3. Cf. Diodorus's lamentations. Reliq., XXXII. 27.

[19] Vell. Pat., I. 13. Mummius was the first Plebeian to obtain a name from his victories.

[20] Polyb., XL. 7, Fragm. from Strabo.

[21] Vell. Pat., I. 13. So Pliny (XXXV. 8) tells another story of Mummius's selling a picture for a large sum and then taking it back, — "suspicatus aliquid in ea virtutis quod ipse nesciret."

[22] Val. Max., VI. 4. 2.

the Romans were weary of hearing the name of their ancient enemies. For three years the Carthaginians strove to defend it, with the little besides that was left to them for an inheritance. But they, too, fell in ruin so complete, that a few deserted vestiges of Hannibal's birthplace alone remained upon the northern coast of the province formed of the surrounding territory and entitled Africa.[23] Another Scipio was the destroyer; and the name of Africanus, a second time bestowed, bore witness to the exultation at Rome over the extinction of Carthage.

While Carthage and Greece were falling easy victims, the wars with the barbarians of the North and West were still arduous. But they were not the less successful. The Gauls, on the southern side of the Po, were wellnigh exterminated.[24] Their kinsmen or neighbors farther northwards were next compelled to yield, some even to be transported to the South, as hostages or exiles.[25] In the succeeding years, the Roman arms were pushed amongst the Alps,[26] and along the shores of the Adriatic through Istria and Dalmatia[27] on the East; while on the West they followed the Mediterranean coast towards Massilia, their ancient ally. Revolts in Sardinia and Corsica were quelled.[28] The whole extent of Italy, from its southern islands to its north-

[23] A. C. 146. Flor., II. 15. Appian., De Reb. Pun., 132 *et seq.*

[24] A. C. 196. Liv., XXXIII. 36 *et seq.*

[25] Some of the Ligurians were transported into Samnium, A. C. 180. Id., XL. 38. The bulk of the tribe did not submit until some years afterwards.

[26] A. C. 166. Liv., Epit. XLVII.

[27] A. C. 178-156. Id., XLI. 1. Epit. LXVII.

[28] A. C. 176, 173. Id., XLI. 17, XLII. 7.

ern mountains, was kept clear as possible of any commotions that might disturb the expeditions year by year departing to the wars.

The roughest fields of all were to the West, in Spain. There fought enemies whom no victories seemed able to crush. Porcius Cato, of whom we shall presently hear more, and Sempronius Gracchus, son of the victor at Beneventum, confirmed the Roman dominion over the districts on the northern side of the Ebro[29] and in the Celtiberian portions of the peninsula.[30] But their successors in command continued to be the more sorely tried, especially by the western tribes, against whose wild and flighty forces the legions seemed driven, like spent balls, in vain.

At length the direction of the operations against Lusitania was intrusted to the Prætor Sulpicius Galba, a man of power, experience, and utter corruptness. Defeated, like his predecessors, by the speed and the spirit of the mountaineers, he waited until the spring of the second year,[31] when he broke in again amongst them, together with another Roman general whom he had perhaps persuaded to support his movements. The plan succeeded. Terrified at the approach of both the Roman armies, the Lusitanians sent to Galba to sue for peace. Summoning the whole tribe to meet in different places, the Prætor was enabled to accomplish his work of treachery and bloodshed without a strug-

[29] A. C. 195. Liv., XXXIV. 9 *et seq.*
[30] A. C. 179. Id., XL. 47 *et seq.*
[31] A. C. 159. Appian., De Reb. Hisp., 59.

gle. A large number of the mountaineers were massacred.[32] Some were spared for slavery. Only a few escaped to wreak revenge.

The news reached Rome. Amid the indifference of many, and the approval of more, a few expressed their indignation. A bill was put forward, to the intent that the captives not included in the massacre should be set free.[33] It was another form of bringing Galba to trial. "Many things," exclaimed Cato before the people, "many things there are to dissuade me from appearing here, — my years, my age, my voice, my weakness, and my infirmities. But the question is of the highest concern to the Commonwealth."[34] He urged the condemnation of the Prætor. But the law of Rome was as mild towards any service by which its dominion was increased, as it was stern towards any enmity by which it was resisted. Galba had only to parade his children before his fellow-citizens, and pour out his abundant eloquence[35] in their behalf, to avert his sentence, as Cato said, by his boys and tears.[36] In fact, the only ground on which the trial seems to have been proposed was the apprehension that the Lusitanian massacre was likely to injure, rather than to benefit the Commonwealth. Nor was it long before Galba, still the rich and the eloquent citizen, was elected Consul.

A spirit more faithful to liberty survived amongst

[32] Valerius Maximus (IX. 6. 2) says 7,000; Suetonius (Galb., 3) raises the number to 30,000.

[33] Liv., Epit. XLIX.

[34] Such is the free translation of the fragment in Aul. Gell., XIII. 24. The speech is mentioned in Cic., De Orat., I. 53.

[35] Cicero speaks of Galba as surpassing all the orators of his time. Brut., 21.

[36] Cic., De Orat., I. 53.

the Lusitanians who had escaped the fate of their kindred. Shortly after the massacre, some ten thousand, partly, as is probable, of the neighboring Spanish tribes, invaded the southern province of Turdetania.[37] A Roman army soon started in pursuit, driving the invaders to a fortified place happening to be near at hand. The mountaineers could not sustain a siege, nor did they dare to attempt evasion through the guarded lines of their enemies. Completely overcome, they sent envoys with olive-branches to entreat for safety. The messengers, profuse in pledges of submission and fidelity, were favorably received in the Roman camp. A treaty was proposed. And the Lusitanians, hungered and weary, were on the point of surrendering themselves, perhaps to be sold or slain, when a well-known voice was heard, denouncing the treachery to which they were exposed. The voice was that of Viriathus, than whom, as all who heard it knew, there was none more valiant or more prudent in their tribe. To the eager tones in which he spoke, shout upon shout returned that he must be their chief, and do with them what he willed.[38] He chose a thousand men. Sending the rest along the paths which led them home, he waited to turn upon his astonished foes with the proof that the Lusitanians were once more free.

In his youth, Viriathus had been a shepherd and a hunter amongst his native mountains. As the ardor of his spirits increased with years, he joined

[37] Appian., De Reb. Hisp., 61. [38] Id., ib., 61, 62.

a body of men whom the Romans called brigands,[39] but who are better described by the modern name of guerillas.[40] Of these he soon became the leader, and with them, as may be conjectured, he had often fought against the Romans before the action just described.

He was described by his enemies, and by them only so far as he was connected with their history. A solitary tradition, concerning his nuptials with the daughter of some principal personage amongst his countrymen, relates how he made light of the magnificence displayed in the banquet room, and how he stood but a moment by the laden tables before seeking his bride, and bearing her away, on his horse, to the camp of his mountaineers.[41] It sounds as if he were of higher stamp than the barbarian which he is represented as having been. He had espoused a great cause. He wanted sympathy and love. But he turned away from luxury and revelry, as inconsistent with the objects which he was pursuing. We know him no better. But we may remember that he dwelt amongst the mountains, where men of any sensibility are touched with desires of repose.

Be this as it may, Viriathus was, for eight years,[42] the champion of Spain.[43] Within the first three years, many a trophy on the mountain-sides[44] showed

[39] "Ex pastore venator, ex venatore latro." Liv., Epit. LII. So Florus, II. 17.

[40] Diod. Sic., Reliq., XXXIII. 1.

[41] Id., ib., XXXIII. 7.

[42] A. C. 147 - 140.

[43] "Assertor contra Romanos Hispaniæ." Eutrop., IV. 16. "Ac si fortuna cessisset Hispanæ Romulus." Flor., II. 17.

[44] Flor., II. 17.

where the invaders had been discomfited. A temporary check[45] from the operations of Fabius Æmilianus, in command both as Consul and Proconsul, did not dishearten the Spaniard. Forming new alliances with some of the tribes hitherto standing aloof, he again aroused, and for four years more kept up the terrors of the Romans and their allies. Once, besieged by the Proconsul, Fabius Servilianus, the adopted brother of the other Fabius, Viriathus broke forth with such impetuosity as to have the whole Roman army completely at his mercy. The mere barbarian would have murdered or tortured every man. But Viriathus wished for peace, and entered into a treaty with Servilianus, establishing himself as the ally of the Roman people, and securing his followers in the possession of their territories.[46] The conditions, which Viriathus may be said to have granted, much rather than asked, were ratified at Rome, where it would be cheering to fancy that his marvellous generosity had awakened any sort of sympathy.

But the truth of the case with the Romans is unfortunately proved exactly the contrary to what one would wish to suppose. In the very next year after the treaty, Servilius Cæpio, the brother of Servilianus, the Proconsul, was sent to Spain as Consul, with secret orders from the Senate to take all possible measures against the Lusitanian. Almost immediately after the departure of the Consul,

[45] Appian., De Reb. Hisp., 65. Liv., Epit. LIII.

[46] A. C. 141. Appian., De Reb. Hisp., 69. Liv., Epit. LIV. De Vir. Ill., LXXI.

war was openly declared against Viriathus.[47] He was attacked before he knew he had an enemy. Barely escaping destruction, but easily defying pursuit, he despatched three trusted officers to entreat some explanation of the onslaught that had been made upon him against all faith and gratitude. To his followers on every side, he sent his summons calling them to arms. The answer of the Roman Consul to the messengers of Viriathus was to persuade them to a deed as base as any in the darkest passages of human history. When they returned to their chieftain, it was to murder him as he lay resting a moment in his armor. The Lusitanians chose another leader. But it was beyond their power to elect that the spirit of their murdered hero should descend to any successor. Within a few months, they yielded to the employer of his assassins, the Consul Cæpio.[48]

Some sort of decency was observed by Cæpio, in refusing to reward the murderers of Viriathus;[49] some by the Senate, in denying a triumph to the returning Consul.[50] But the motive, in either instance, was not so much, it is to be feared, a feeling of sympathy for the fallen, as a desire to disparage his importance, and therefore to contradict the merit of his destroyers. Even Cicero, removed as he was from the alarm or the contempt with which Viriathus was regarded by his contemporaries, yet

[47] A. C. 140. Appian., De Reb. Hisp., 70.

[48] Id., ib, 75. Diod. Sic., Reliq., XXXIII. 22.

[49] Eutrop., IV. 16. Appian (loc. cit., 74) says he referred them to the Senate.

[50] De Vir. Ill., LXXI. Cf. Val. Max., IX. 6. 4.

found it in his heart to cast a slur upon the Lusitanian hero.[51] But it would have been far better to have lost, than to have won the victory thus deadening the sensibilities of a whole nation towards such a foe as Viriathus. The passions quickened by his murder, like those inflamed by the massacre of his countrymen, were of a nature to prove fatal to the nation by whom they were indulged.

Such were the conquests East and West, through which the Roman dominion was extended. We have now to see how it was maintained.

[51] De Off., II. 11.

CHAPTER XXII.

ORGANIZATION.

"Leges pacis."

LIVIUS, XXXIII. 30.

THE period of Latin conquest, stamped by the settlement of the Latins and of the municipalities, had been followed by the period of Italian conquest with the system of the Latin Name and the lower municipal institutions. To these succeeded the provinces of the period of foreign conquest.

From each of the countries lately overrun was formed a province. Sicily, as has been mentioned, was the first. Then came Sardinia and Corsica. Afterwards were constituted Nearer Spain, Farther Spain, Illyria, Macedonia, Achaia, and Africa, to which may be added Cisalpine Gaul, though not yet formed into a province, but retained as a district more immediately dependent upon Italy.[1] No such empire had ever existed in the western world.

The subjection of these vast realms and of their various races was the one great rule according to which they were organized by their conquerors. No

[1] Ruperti (Röm. Alterthümer, vol. I. pp. 36 *et seq.*) gives a sketch of the Roman conquests and of the provinces successively formed.

positive exceptions are to be found. The few local privileges that were spared, the occasional grants of Roman immunities that were made,[2] did but corroborate the dependence of those who received upon those who gave. From the western mountains of Spain to the eastern shores of Greece, from the borders of Africa to the summits of the Alps, the laws of peace, as they were styled, extended chain-like, binding and rebinding the ancient nations to the Romans.

No sooner was a conquest made, than the victorious general, joined by the commissioners from Rome, proceeded to arrange the territory of the province, seizing large masses of lands as public property, and laying imposts upon those that were not seized, as well as upon other private possessions. Sooner or later the taxes descended upon persons likewise.[3] The tribute, thus instantly ordered, was fixed at the highest possible point. Provision was then made for its collection, and in such a manner as to make it even more distressing than it would have been by reason of its amount alone. Whenever a province was formed, a body of the richer Romans would institute a company to speculate in the revenues of the new domain. These speculators were the Publicans. Paying a round

[2] Such as the Latinitas and the Jus Italicum, immunities which are sufficiently intelligible from their names, except that they must not be conceived to have been individual, but local grants. See the mention of other privileges in Cic., In Verr. Act. II., III. 6.

[3] Not a square rood, however, even of private land, was held as an independent possession, the whole country being considered the property of the Roman Commonwealth. A more special enumeration of the taxes on the provinces will be found in Heinecc., Ant. Rom., pp. 312 *et seq.*, Ruperti, Röm. Alt., vol. III. pp. 842 *et seq.* The poll-tax was called "Pecunia Imperata." Liv., XXVIII. 34.

sum into the treasury as an equivalent for the provincial taxes, they sent out their own agents or collectors to do the work upon which the success of their enterprise depended. As the agents went with the hope of making fortunes for themselves, the pillage became threefold. Begun by the government, it was continued by the Publicans, to be still further prosecuted by their envoys.

To each province a magistrate, supreme in military, and generally, also, in civil authority, was, year after year, at the expiration of his term of office in Rome, sent out under the various titles of Prætor, Proprætor, and Proconsul. To assist him, a Quæstor, or treasurer, was elected by the Roman voters, while one or more Lieutenants were appointed by the Prætor or Consul, with the consent of the Senate. A body guard, called the Prætorian Cohort, was attached to the person of the governor.

Accompanied by this retinue, the vicegerent of the ruling nation would set off for his appointed province. But before taking possession, he promulgated an edict, so styled, which, however it might be broken by himself, was to serve as the law of those whom he was sent to govern. On arriving, he might or might not see fit to call the Convention, as it was termed, in which the provincial magistrates, partly native, but principally Roman, were convened at intervals to carry out the pleasure of their superiors. When they did come together, they were not always visited or consulted by the governor. He signified his will, and they, appointed by him,

or holding their appointments by his permission, bowed in acquiescence.[4]

It may be conceived to what a pitch of oppressiveness the authority of the Roman officials must have risen during their administration. "It should appear to all nations," ordered the Senate, deciding upon the fate of Illyria and Macedonia, "that the arms of the Roman people bring not slavery to the free, but freedom to the enslaved." Yet the same decree confessed that "where a Publican was found there could be no liberty to the provincials."[5] Nor did the Publicans alone stand between the subject and his freedom. The Prætor or the Consul, the satrap[6] rather than the magistrate, cut off those whom he ruled not merely from the sunshine, but from the very shade of liberty. It was not enough for the vicegerent to be obeyed. He was to be worshipped.[7] Again the Romans make confession. Instances of prosecution[8] lead on at length to the enactment of a solemn law against the oppressors of the provinces.[9]

Italy, though organized on a different basis from that of the provinces, was involved in many of the same difficulties. A conspiracy, originating just after

[4] Or else broke out in rebellion. As in Sardinia and Corsica. Note 29 in the preceding chapter.

[5] Liv., XLV. 18.

[6] Or, as Montesquieu observes, "les pachas de la république." Esp. des Lois, Livre XI. ch. 9.

[7] See a memoir by the Abbé Mongault, Mém. Acad., tom. I. p. 353.

[8] Liv., XLII. 7, 8, 22, XLIII. 7; and in Epit. XLVII., LIV.

[9] A. C. 149. The Calpurnian, as it was called. Cic., In Verr. Act. II., IV. 25. Compare the laws of restriction upon accusations of this nature, as if they had been too numerous. Val. Max., III. 7. 9. Cic., Pro Sext. Rosc. Am., 20. These laws are sometimes supposed to have followed within a few years after the Calpurnian.

the war with Hannibal amongst some slaves and captives, from whom it seems to have spread amongst the people in whose towns they were quartered,[10] express the consequences of intercourse between the Italians and the other vanquished races. On the other hand, the repeated complaints from Italian towns, wellnigh empty on account of their inhabitants being drawn away to the metropolis, bring up to view the consequences of intercourse between the Italians and their victors.

But it was not from mere intercourse with their superiors or their inferiors that the inhabitants of Italy were prone to restlessness. They had their share of downright oppression, as when the people had to bear with the presumption and violence in which the Consul Postumius Albinus ran riot amongst them.[11] Against such outrages, against the memories of independence or of humiliation, the Italians could not always bear up in submissiveness.

This the Romans knew. Providing as they did for the relief of the provinces, they could not but give heed to the trials of their nearer subjects.[12] Taxes were greatly lessened.[13] Losses of land or of population were partially repaired. Even the damages that had been sustained in personal or in political position were to some degree amended.[14]

[10] Setia and Præneste. Liv., XXXII. 26.

[11] Id., XLII. 1.

[12] As when 12,000 Latins, or Italians generally, were dismissed from Rome by orders of the Senate, Id., XXXIX. 13; or when additional measures were adopted to satisfy the murmurs which still continued, Id., XLI. 8, 9.

[13] The customs, the returns of the public lands, and the tax upon the emancipation of slaves were all that continued to be raised in Italy.

[14] As in the instances recorded in Id., XXXVIII. 36.

From a large portion of Italy, the agony of defeat passed away into other lands.

It was by a severer organization that the Romans thought themselves bound to maintain their dominion. It was by such a system that they were destined to achieve their work of humiliation.

CHAPTER XXIII.

INTERNAL CHANGES.

"Then comes the check, the change, the fall."

TENNYSON.

THE servitude of the conquered was complete. What then befell the liberty of the conquerors is to be observed.

First of the effects produced at Rome by the recent conquests was the increased majesty of the state. Its subjects were not more humbled than its allies, nor these more than the races hitherto unconnected with the victorious nation. Prusias, king of Bithynia, came to prostrate himself before the Senate, hailing its members as his guardian gods.[1] Eumenes, king of Pergamus, essaying to do the same, was met at Brundusium by an edict forbidding any monarch to approach Rome.[2] Caius Popilius went as envoy to Antiochus of Syria. The king hesitated to reply to the message which the Senate had sent him. "Give me an answer," exclaimed Popilius, tracing a circle round the asto-

[1] Χαίρετε, θεοὶ σωτῆρες. Polyb., XXX. 16. Liv., Epit. XLV.

[2] "Ne cui regi Romam venire liceret." Liv., Epit. XLVI. Polyb., XXX. 17.

nished monarch, "before you cross these bounds!" And Antiochus declared that he would do as the Senate required.[3] "Your name," declared the Rhodian ambassadors to the Romans, "your name and power are seen to be very nigh unto the immortal gods!"[4]

Such was the mark of Rome upon strangers, allies, and subjects. Upon its own citizens it was not altogether the same. Setting aside the bondmen and the lower orders bearing the name of Roman, we see two classes of citizens emerging from the wars. One cleaves to the old laws. The other grasps after new ones. The former submits to the state. The latter confronts it. Not that any men declared themselves superior to the state or to its laws. This was still impossible. But there were those who insisted that they had grown as individuals just as the state had grown in majesty. After the victories achieved abroad, it was but natural that there should be some amongst the victors to aspire beyond all previous bounds.

Here we may look onward. Are any of the Romans to rise above, are any to sink beneath those with whom they have stood on equal terms? Nor is this the only question. Are any to become superior to the state itself? The answer cannot yet be given. But it may be foreseen.

The state puts forth its power. Six Prætors are chosen instead of four,[5] as if the administration of

[3] Liv., XLV. 12. Cic., Phil., VIII. 8.

[4] Liv., XXXVII. 54.

[5] A. C. 197. Liv., XXXII. 27. Cf. XL. 44.

the provinces should nowise detract from the watchfulness with which order was maintained at home. The elections are controlled.[6] The rights of property are restricted, as by the law[7] preventing "virgins and matrons" from inheriting in certain cases. The extravagances of private life are condemned, as by the laws[8] limiting the number of guests and the expense of the entertainment to which they might be invited.

Deeper still penetrated the vigilant authorities. The foul orgies of the Bacchanalia were detected and suppressed.[9] On the other hand, the books of Numa found beneath the Janiculum were publicly burned as dangerous to the degenerate religion of the age.[10] Nor were only the Roman associations of the past defied. Philosophers from Athens were dismissed because their eloquent learning was attracting too many admirers.[11] Soothsayers from the East were more peremptorily ordered to depart from Rome and out of Italy.[12]

At the same time, the state was obliged to make some concessions. Every magistrate was allowed to take the auspices.[13] Every citizen was protected from being scourged or slain.[14] Women, deprived

[6] Liv., XL. 19, 44, etc.

[7] The Voconian. Cic., In Verr. Act. II., I. 41 *et seq.* See Montesquieu, Esp. des Lois, Livre XXVII. and a memoir by M. Giraud, Mém. de l'Inst., Sc. Mor. et Pol., Savants Étrangers, tom. I. p. 557.

[8] Called the Orchian and Fannian. See Smith's Dict. Gr. and Rom. Antiq., s. v. Sumtuariæ Leges.

[9] A. C. 186. Liv., XXXIX. 8 *et seq.*, 41.

[10] A. C. 181. Liv., XL. 29, De Vir. Ill., III.

[11] A. C. 155. The philosophers were Carneades, Critolaus, and Diogenes. Cic., De Orat., II. 37. They were sent away at Cato's instance. Plut., Cat. Maj., 22, 23.

[12] A. C. 139. Val. Max., I. 3. 2.

[13] By the Ælian and the Fufian laws. Cic., de Prov. Cons., 19; In Pison., 4.

[14] By the Porcian law, A. C.

of ornaments and indulgences by a law enacted during the war with Hannibal, obtained the repeal of the obnoxious statute.[15] For some men, colonies were planted.[16] Amongst others, lands were distributed.[17] To others largesses of food were made.[18] But there was always a limit set upon these bounties. The freedmen, for instance, though received more generally into the fleets and armies,[19] were removed into a tribe where they could be kept by themselves.[20] Measures brought up by designing leaders before the popular assemblies were sure to be hindered. Sometimes, the assembly itself interposed the obstacle, as when the Tribes threw out the bill of a certain Tribune, proposing to transfer the election of priests from their respective colleges to the Tribes.[21] It was not from the mass that resistance to the state could come.

Foremost amongst the eminent men of the times was Marcus Porcius, the first of his family or nation to be called Cato, the Wise.[22] He was born in Tusculum, where his house stood close to the

199. Liv., x. 9. Sallust., Cat., 51. Cicero, however, speaks of "leges Porciæ, quæ tres sunt trium Porciorum," and says, "neque quidquam præter sanctionem attulerunt novi." De Rep., II. 31. Cf. his oration Pro C. Rab., 3, 4.

[15] See Liv., XXXIV. 1 *et seq.*

[16] Vell. Pat., I. 15, and next note.

[17] Liv., XXXI. 4, 49, XXXIV. 45, 53, etc.

[18] Id., XXIX. 37, XXX. 26, XXXI. 4, 50, XXXIII. 42.

[19] Id , XL. 18, XLII. 27, etc.

[20] Done by Sempronius Gracchus, then (A. C. 168) Censor. Liv., XLV. 5. Cf. De Vir. Ill., LVII. Some exceptions were made in favor of freedmen who had sons above five years old, or whose property exceeded a certain sum. See Liv., XLV. 15.

[21] The Tribune was Licinius Crassus. Varro, De Re Rust., I. 2. Cic., De Amicit., 25. A. C. 145. The Tribunes of these years were not, it must be plainly observed, the same in stamp with their predecessors. See the incidents in Liv., Epit. XLVIII., LV.

[22] Plut., Cat. Maj., 1.

birthplace of Curius Dentatus, the chosen hero as it would seem of Cato. His first military duties were performed under Fabius Maximus, during the campaign following the defeat of Thrasymene. The reverence for the generation preceding his own, instilled by the memory of his fellow-townsman, was thus deepened by the example of his general. But as no one is made a man by mere admiration or even imitation of others, be they ever so great and wise, the energy of Cato in serving his country and in advancing himself was the mainspring of his career. He followed Claudius Nero on the march to the Metaurus, and crossed the seas with Cornelius Scipio on the memorable expedition to Sicily and Africa. The ædileship, to which he was elected soon after the peace with Carthage, opened the way to independent achievements, a few years subsequently, in Spain, where, as has been previously related, he gained great victories in his consulship. Afterwards, serving as lieutenant in the campaign decided at Thermopylæ against the Ætolians and their ally, Antiochus, he finally returned to Rome. There, within a few years, he was chosen to the censorship,[23] in which he so distinguished himself as to be styled the Censor.

No one could be a truer representative of the class submitting to the state. All that he had learned at Tusculum, all that he had seen in service abroad or at Rome, seemed to inspire him with the devotion to the laws of the olden days.

[23] A. C. 184. Liv., xxxix. 41.

"The severest," he declared, "not the mildest physician is wanted to effect the purification required by the Commonwealth."[24] Nor did he appear to be of any other opinion than was afterwards attributed to him by his biographer, "that to prosecute the wicked was as good an occupation as an upright man could have."[25] From the time when his campaigns were over, his life was one continued struggle with individuals whom he arraigned, or by whom he was accused.[26] He was equally stern towards the nations not yet overcome.[27] In fact, all that was severe seems to have found an advocate in this champion of the past. "Our ancestors," he wrote, "praised the good husbandman. . . . . Because from that race proceed the bravest men and the most enduring soldiers."[28] The occupation that would render the individual most serviceable to the state was the most commendable in the eyes of Cato. But that the state was bound to the individual did not enter into his theories. "Let every one sell his old wagon," he enjoined, "his old implements, his old slave, his sick slave, every thing, in short, that is useless."[29]

[24] Plut., Cat. Maj., 16., Apopth., tom. VI. pp. 748 *et seq.*

[25] Id., Cat. Maj., 15.

[26] "Quadragies quater accusatus, gloriose absolutus." De Vir. Ill., XLVII. Cf. Liv., XXXIX. 40. The appellation of Orator, which he bore, is sufficient testimony to his power in accusing others and defending himself. Aul. Gell., XVII. 21.

[27] As in the case of Carthage. Florus, II. 15. Vell. Pat., I. 13. Plin., Nat. Hist., XV. 20. Cato died at the beginning of the war, A. C. 149, being about eighty-five years old.

[28] "Virum bonum quem laudabant [nostri majores], ita laudabant, bonum agricolam, bonumque colonum. . . . . At ex agricolis et viri fortissimi et milites strenuissimi gignuntur, maximeque pius quæstus stabilissimusque consequitur, minimeque invidiosus: minimeque male cogitantes sunt qui in eo studio occupati sunt." De Re Rust., Proem., 2, 4.

[29] "Plostrum vetus, ferramenta

And as Cato would have had the bondman sacrificed at the master's pleasure, so he would have had the citizen abandoned whenever unable to serve the Commonwealth. It was the principle on which rested the ancient centralization.

But upon the character of the Roman there were spots where the snow melted and the verdure reappeared. It was Cato who fondled the infancy, instructed the childhood, and confided in the manhood of his son, with an incomparable affection.[30] It was he who declared it a higher glory to be a good husband than a great Senator.[31] Above all, it was he who defended the subjects against the rulers of Rome.[32]

No living men in Rome were more renowned, about the time of Cato's censorship, than Scipio Africanus and his brother Lucius. The latter bore the title of Asiaticus in consequence of his victory, gained with the assistance of Africanus, over king Antiochus, near Magnesia.[33]

Both the brothers were representatives of the class

vetera, servum senem, servum morbosum, et si quid aliud supersit, vendat." Ib., cap. 2. Cf. Plut., Cat. Maj., 21.

[30] He wrote a history (*ἱστορίας*) for his son "in large letters," that the boy might be able to study the institutions of his ancestors at home. Plut., Cat. Maj., 20.

[31] Id., ib.

[32] As in preventing the triumph of a Proconsul who had done great wrong to the people among whom he led his soldiers. Liv., XXXVII. 46. See fragments of Cato's harangue or harangues against him, in Aul. Gell., X. 3, XIII. 24. So in backing the protest of the Spanish envoys against the exactions of their Roman governors (Liv., XLIII. 2); in defending the people of Rhodes (Id., XLV. 25); and in procuring the release of the Achæan exiles (Plut., Cat. Maj., 19.)

[33] Liv., XXXVII. 1. He had been Prætor before being Consul. Id., XXXIV. 54. Africanus had been Censor, and again Consul, besides being made the Princeps Senatus, in the interval between his return from Africa and his departure to the East. Id., XXXII. 7, XXXIV. 42, 44.

described as to a certain degree confronting the state. If there were any to urge that the individual had grown great as well as the state, they were the Scipios. Of all others, they could plead that the conquerors of the East and of the West could no longer subsist upon the same level with their obscurer countrymen. It was but pressing the principle of the ancient centralization.

The rumor started, apparently before the return of the Scipios from the East, that they had carried matters, the one as commander and the other as lieutenant, with much too high a hand. What was only suspected began to be actually believed, while they put off producing the accounts of the treasures received from the Syrian monarch.[34] At length the Senate summoned Asiaticus to render his report without further delay. He obeyed. But when he appeared with his papers, they were snatched from his hand by Africanus, who tore them to pieces with some bitter expression against his adversaries.[35] On the departure of Africanus to Etruria, where he was then employed on the public service, the proceedings against his brother were revived with such earnestness, that Asiaticus was tried, condemned, and just on the point of being committed to prison,

[34] The details of the following narrative are so contradictory in the ancient authorities, that my version is very conjectural. See Liv., XXXVIII. 50 *et seq.* I give the events connectedly, because the part of Gracchus, presently to be mentioned, in them all must have been in the single year of his tribunate. It is less certain that he married Cornelia in the same year, or even in her father's lifetime. See Plut., Tib. Gr., 1, 4.

[35] Val. Max., III. 7. 1. Liv., XXXVIII. 55. "Indignantem quod, quum bis millies in ærarium intulisset, quadragies ratio ab se poscereturr." This "quadragies" kept back amounted to the moderate sum of four million sesterces.

when Africanus, who had purposely hurried back, appeared in the Forum, and effected the release of the criminal by some forcible means, whereof the account fails.[36] With all his haughtiness, however, Scipio could not have prevented his brother from being again taken into custody, had he not procured the aid of Tiberius Sempronius Gracchus, the same who was afterwards Prætor in Spain and Censor at Rome, then one of the Tribunes. He, though hitherto an enemy of the Scipios, and especially of Africanus, came forward to interfere in their behalf, and actually protected Asiaticus against the sentence of the other Tribunes, with some reproaches concerning the violence of which the Forum had been made the scene.[37] It still seemed necessary to make a show of obedience to the laws at the very moment of their infringement.

Gracchus was rewarded by the hand of Cornelia, the famous daughter of Africanus. Even amongst those whose designs he had baffled, the Tribune was honored for having sacrificed his enmity to the defence of the Scipios. But the animosity against the brothers increased; and Africanus himself was soon after accused on charges apparently extended wide in order to admit of no evasion. He had no mind to be pursued, much less ensnared. When his day of trial arrived, he advanced, with a crowd of friends and retainers, through the assembly to the rostra, from which he spoke in the midst of universal silence. "It was on this day, O Tribunes

[36] Liv., XXXVIII. 56.
[37] All this is unusually confused in Liv., XXXVIII. 56, 57, 60.

and citizens, that I conquered Hannibal. And to-day I go to the Capitol to thank the gods who dwell there that I was allowed the will and the power to protect and exalt the Commonwealth. Come with me, if ye will, O men of Rome, and pray the gods that ye may have other leaders like to me!"[38] From his youth, Scipio had believed, or pretended that he enjoyed the peculiar favor of the immortals. Nor was it easy for the assembly to resist the idea that the gods were speaking through him, as he stood firm and majestic in the presence of his enemies. He turned to ascend the Capitol; and the Tribunes with their attendants were left alone in the Forum. Perhaps they wondered at their daring in assailing so great a man. Perhaps they resolved that, though the laws were then set at naught, they should be the more piously vindicated when the people should return to their allegiance.

Not yet, indeed, could the laws of Rome be laid waste and low. Else Africanus might not merely have resisted, but overthrown them, like those who triumphed in after years. The day of the procession to the Capitol was the last brilliant one, as the historian phrases it, to Scipio.[39] Again accused before the Tribes, he did not wait his trial, but withdrew to his estate at Liternum, on the Campanian shore. Thence it was at first proposed to bring him back by force. But he was allowed, through the protection of his son-in-law, Gracchus, to end

[38] Liv., xxxviii. 52. Appian., De Reb. Syriac., 40.

[39] "Hic speciosus ultimus dies P. Scipioni illuxit." Liv., xxxviii. 52.

his days in silence and retirement.[40] His brother Asiaticus was afterwards brought up to receive the sentence previously evaded.[41] It was over him that Cato was elected Censor,[42] as if the class which Cato represented were prevailing against that which was personified in the Scipios.

One other Scipio, Africanus the younger, the destroyer of Carthage, followed. But he belonged only by adoption to the great family whose name he bore.[43] Nor did he espouse their principles as if he had been born to them. He is the representative of what may be called a mixed class, neither devoted nor opposed to the old order of things. Still more clearly does he stand out as one of those who could perceive the danger attending the new order of things. When Carthage was falling, he wept, thinking of the fate that might be in store for Rome.[44] When praying before his countrymen as their Censor, he asked of the gods, not that the Roman dominions might be increased, but that they might simply be preserved.[45]

It was but at times that the prospect darkened. Polybius, the friend and favorite of the younger Africanus, bears testimony to the effulgence centring in Rome. An Arcadian by birth, Polybius was

[40] Liv., xxxviii. 52, 53. "Silentium deinde," he adds, "de Africano fuit."

[41] Liv., xxxviii. 55.

[42] One of Cato's first judgments was to deprive Scipio Asiaticus of his honors as a Knight. Liv., xxxix. 40, 44.

[43] He was a son of Æmilius Paullus, and adopted by the elder son of Scipio Africanus. His eulogy may be read in Diod. Sic., Reliq., xxxi. 26, 27.

[44] Appian. (after Polybius), De Reb. Pun., 132.

[45] Val. Max., iv. 1. 10. "Satis bonæ ac magnæ sunt res populi Romani. Itaque precor ut eas perpetuo incolumes dii servent."

the son of Lycortas, the friend, afterwards the successor of Philopœmen, in command of the Achæan league. He was therefore associated from his youth with all that yet remained of the freedom and the hopefulness of his nation. But his entrance upon manhood was saddened by the death of Philopœmen, whose funeral urn Polybius himself bore[46] amongst the mourners of the last Grecian hero. Young as he was, Polybius saw the only chance of safety to his broken country was in bending before the gales that swept across the seas. For some few years his policy was followed with advantage.

But of a sudden, the charge was brought against the league that it had not aided the Romans as it should have done in the overthrow of Macedonia. Nor could assurances or exculpations prevent the charge from being followed by a demand of one thousand Achæans as hostages for the future submission of their nation. Amongst the thousand was Polybius. While many of his fellow-countrymen were languishing or dying in their seventeen years of banishment, he, through Scipio's protection and his own activity, was variously employed in expeditions, researches, and teachings, until the exiles were allowed to return. Then he went back with them to Achaia. There, however, he tarried only a year or two. For the attraction of the power that was to be seen and felt amongst his Roman patrons became all the stronger by contrast with the exhaustion of his own country, whose very breath

[46] Plut., Phil., 21. Philopœmen was between twenty and twenty-five died A. C. 182, when Polybius years old.

seemed to be retained only by the quarrels of its sons.

When these were ended, and the breath of Achaia and her confederates was actually smothered by the disastrous war in which Corinth fell, Polybius again returned home, to use his influence with the conquerors in protecting the conquered. The mission was as successful as it was benevolent; and the people, instructed by Polybius how to exchange the nominal independence which they had not been able to preserve for the dependence to which alone they were adapted, set up his statues and inscribed them with grateful acknowledgments.[47] Polybius has left his own confession of submission in his famous history. In this he follows the career of the Roman armies through the three quarters of a century ending with the downfall of his country. Even history was thus absorbed in Rome; and he who was far the greatest historian of his age, or of any age immediately preceding or succeeding, devoted his energies to describe her conquests. It was impossible, he reiterated, to resist the impulse and the vigor imparted by the institutions of Rome.[48]

So it seemed. But we have read enough to know that it was not altogether as it seemed. From the moment that there were men to dispute the Roman institutions, a check was set upon the liberty which had proceeded from them. The few who were free because they ruled would cease to be free when they were ruled by others. To this tended the

[47] Paus., VIII. 30. 4, 37. 1. Polyb., Reliq., XL. 9, 10.

[48] Id., III. 2, VI. 1.

changes which we have observed. "A sound of battle is in the land and of great destruction." But it is scarcely heard, before "the hammer of the whole earth is cut asunder and broken."[49] And the prophecy against Babylon returns, fearful and solemn, against Rome.

[49] Jeremiah, L. 22, 23.

BOOK IV.

PERIOD OF DECAY.

A. C. 137–60.

"Istoria lunga,
Dai Gracchi in poi fian le Romane stragi."
ALFIERI, *Bruto Secondo*, Att. I. sc. I.

BOOK IV.

PERIOD OF DECAY.

CHAPTER I.

TIBERIUS GRACCHUS: REFORM.

"If that people had not been prepared and ripe for destruction, there had happened an alteration which might have given some respite to it."

CLARENDON, *Hist. Rebellion*, Book XIII.

"OFTEN," exclaimed the Censor Cato before his countrymen, "often have ye heard me complain how our Commonwealth is laboring under two different vices, avarice and luxury, the two that have been the bane of all great empires."[1] His complaints are susceptible of a broader application than he intended. The luxury which he censured may be interpreted as the abuse of power already gained, while the avarice which he meant to stigmatize may be considered as the desire of dominion not yet acquired. It was a grave era[2] wherein these vices, as they

[1] Liv., XXXIV. 4.

[2] "Atroci ac difficili reipublicæ tempore." Cic., In Verr. Act II., IV. 49.

might well be termed, prevailed amongst the Romans.

Of such vices, neither the class supporting nor that confronting the ancient laws could furnish a reformer. They who bent before the state did so partly that they might increase its authority, partly that they might increase their own. About abusing the power which they held, or seeing the power of the state abused, few, as we have repeatedly observed, entertained any scruples. They, on the other hand, who stood erect before the state did so only that their authority might be augmented and abused according to their will. Between two such classes the distinction was seldom perceptible to those beneath them. Both were asserting the claims of the few not only to retain, but to increase their supremacy over the many. It was from some other, if from any class, that a reformer must proceed.

Not many were prouder Romans than was Cornelia, the daughter of Scipio Africanus, and the widow of his defender, Sempronius Gracchus. The offer of a crown[3] could not tempt her from the home where she dwelt in widowhood, glorying in her father and in his memory, still more in her children and in the hopes which they inspired. To the two sons who survived, when one after another had been taken away, she clung with an affection watching every moment of their youth as though it were the beginning of an age of fame. Beginning their education, she may be said to have also com-

[3] From Ptolemy of Egypt (whether Philometor or Euergetes is uncertain.) Plut., Tib. Gracch., 1.

pleted it.[4] Every teacher employed in the instruction of the young men labored under the superintendence of their mother. She alone could teach them how to become, as she hoped, the successors of the Scipiós.

The elder of the two, Tiberius Sempronius, was elected Augur at an early age.[5] Soon after, he accompanied his adopted kinsman, Africanus the Younger, on the Carthaginian expedition. He was the first to mount the walls of the fated city. On his return, he spent some years in peaceful studies amongst friends, of whom his mother, his brother, and his early instructors seem to have been the nearest. Still under the age prescribed by law, Tiberius received the appointment of Quæstor to the forces employed at the siege of Numantia, in Spain.[6]

The journey of the young officer lay through a desolate country. Nor was any part of it more desolate than the Italian territory. Fields were tilled, if tilled at all, by barbarians or slaves. Houses were occupied, if occupied at all, by stewards or by the broken remains of families whose better members had gone to Rome or across the seas.[7] Tiberius had probably witnessed still greater desolation. He had fought amongst the foremost to lay Carthage waste. He was on his way to destroy

[4] "Gracchorum eloquentiæ multum contulisse accepimus Corneliam matrem." Quint., Inst. Orat., I. 1. "Filios non tam in gremio educatos quam in sermone matris." Cic., Brut., 58. Every one remembers the story of Cornelia and her jewels. Val. Max., IV. 4. init.

[5] If he was born, as Plutarch implies (C. Gracch., 1), in A. C. 163, and was elected Augur before going to Carthage, A. C. 147. Plut., Tib. Gr., 4.

[6] A. C. 137. Id., ib., 5.

[7] "All Italy," says Plutarch, "was thinned of freemen." Tib. Gr., 8.

Numantia. But the scenes through which he was passing struck him deeply.[8] It was Italy, the land of the conquerors, and not of the conquered, that seemed to plead with him for the restoration of its children and of its fortunes.[9]

Sad and thoughtful, Tiberius pursued his way. On his arrival at the seat of war near Numantia, he found the resistance of the foe as determined as it had been for many years. Nor was it long before Hostilius Mancinus, the Consul in command, was obliged not only to retreat, but to sue for peace before the Numantines. They answered that they would treat with the Quæstor, him of the name honored amongst the Spaniards since the proconsulship of the father, Sempronius Gracchus, some forty years before. Accordingly, Tiberius was sent to conduct the negotiation. His name and his demeanor rendered the terms of the treaty more favorable to his commander and his comrades.

On his return to Rome, again through the deserted lands of Italy, he found the ruling party decided to reject the treaty with the Numantines. Mancinus the Consul was soon directed to surrender himself to the enemy whom he had been unable to conquer. He was of no further use to his exacting countrymen.[10] But Tiberius Gracchus, to

[8] According to the testimony of his own brother. Plut., loc. cit.

[9] "We have now come to that period," said Niebuhr, on approaching the time of the Gracchi, "when the explanation of the mere forms of the constitution is no longer sufficient, and when the men themselves must be considered, each by himself, and when each is a separate psychological problem." Lect. XXVII., Rom. History.

[10] He advocated the proposal to surrender him. Cic., De Off., III. 30. But the Numantines refused to receive him. App., De Reb. Hisp., 83.

whom the army had owed its safety, was honored with the public approbation. He was young, gifted, and his countrymen had yet a deal to gain from him.[11]

But such injustice to Mancinus, such faithlessness to the Numantines, had made their impression upon Tiberius. He had been trained to think those great who ruled at Rome. He had found them out to be otherwise. He had been taught that the Roman sway was the glory of the lands over which it extended. He had seen it to be their ruin. From that time forward, the course of Gracchus was altered. Instead of striving to take his place amongst the few as a ruler, he offered himself to the many as a champion. He was the reformer who had long been expected. Amidst vague expectations of his proving such, Tiberius Gracchus, then at the age of twenty-eight or nine, was elected Tribune.[12] It was the office best suited to the achievements of a Roman reformer.

As in every mass of evils one will grow up more rankly than the rest, sometimes seeming to be the only one that grows at all, so in Rome the decline of the main body of citizens appeared almost alone to claim redress. It was once attempted by a man as learned as any of his times, Caius Lælius, the friend of the younger Africanus, and the patron of the poet Terence. But his apprehensions overcame his sympathies, and Lælius went thenceforth by the

[11] Plut., Tib. Gr., 7.

[12] A. C. 134. Chosen in the summer, and entering upon office in the winter.

name of Sapiens, the Wise,[13] because he knew not how to do the work needed, but how to leave it undone.

The wisdom of Tiberius Gracchus was of an exactly opposite description, too ardent rather than too cold, too daring rather than too cowering, whithersoever it might be turned by his affection or by his ambition. His bold enthusiasm communicated itself to others, amongst the first to his mother Cornelia. All her associations with the heroes of old seemed to be forgotten as she encouraged the heroism of her son. "Let me be called the mother of Gracchus," she exclaimed, "rather than the mother-in-law of Scipio Africanus!" The former teachers, now the friends of Tiberius, urged him to do what they had long, perhaps, discussed together and prepared.[14] Many of the highest citizens in Rome approved the project on being consulted by Gracchus.[15] All the time the people were entreating, by petitions and writings on the walls,[16] that the plan already noised abroad as in his mind should be begun. Thus exciting hope and thus receiving encouragement on every side, save that where he could expect nothing less than opposition, the Tribune laid an Agrarian bill before the Tribes.[17]

Its terms were very simple. The law, now over two centuries old, of Licinius Stolo, that no one should occupy more than five hundred jugers of

[13] Plut., Tib. Gr., 8.

[14] Id., ib.

[15] Licinius Crassus Mucianus, afterwards Chief Pontiff; his brother, Mucius Scævola, orator, jurist, and in that year Consul; and Appius Claudius, the father-in-law of the Tribune. Plut., Tib. Gr., 4, 9. Cic., Acad. Pr., II. 15.

[16] Plut., Tib. Gr., 8.

[17] Now in A. C. 133.

the public lands, was renewed with this proviso, that any father rich enough to do so might hold two hundred and fifty additional jugers in the name of his son, or even retain five hundred besides his own, if he had two sons to serve as the nominal occupants.[18] Other clauses were subjoined, providing for the payment of some equivalent to the rich for the improvements and the buildings upon their surrendered estates,[19] and ordering the division of the domain thus surrendered among the poorer citizens[20] on the condition that their portions should be inalienable.[21]

Some words, reported as those of Tiberius himself, explain the purposes of the bill. "The wild beasts of Italy have their lairs and dens. But the men who fight and die for Italy have nothing else save light and air, as they stray, houseless and homeless, with their wives and children. Your generals," cried the Tribune, "do but mock their soldiers, in bidding them combat for their temples and their graves. For, of all their number, not one has either the altar or the sepulchre of his ancestry to defend. They go to war and perish. Others live at ease and in the midst of luxuries. They bear the name of lords of the world. But there 's not a handful of earth for them to call their own."[22] Gracchus ap-

[18] Appian., Bell. Civ., I. 9. Liv., Epit. LVIII.

[19] App., Bell. Civ., I. 9.

[20] Id., ib., I. 10, 11.

[21] Plutarch (Tib. Gr., 9) says that the whole value of the lands was to be paid to the occupants. But this is totally incredible, as well as contradictory to the tenor of Appian's account.

[22] Plut., Tib. Gr., 9. So Florus, III. 14: — "Depulsam agris suis plebem miseratus est, ne populus gentium victor orbisque possessor laribus ac focis suis exularet."

pealed to the interest as well as to the justice of the Romans. "A warlike people," he urged, "has been reduced under our very eyes to poverty and desolation, and in their place has risen up a crowd of slaves, useless in war, and at all times faithless." [23] The design of the bill, therefore, was to recruit the ranks of the Romans by drafts of freeholders from the Italians. Such as had been reduced to poverty were to be restored to independence. Such as had been sunk beneath oppression were to be uplifted to liberty.[24]

No scheme more generous had ever been brought before the Romans. None, consequently, could have ever met with more decided opposition. Some there might be, like the Tribune's friends, to part with the lands bequeathed to them by their fathers; but where one was willing to confess, a hundred stood ready to deny the claim upon them. Nor had they any such demands to meet as those preferred by the Plebeians in the olden time. Then it was an estate firm and compact that united in claiming a portion of recent conquests from the Patricians. Now, it was a loose and feeble body of various members, waiting for a share in land long since conquered, while their patron rather than their leader exerted himself for them. A patron like Tiberius Gracchus was worth a score of leaders such as had often been followed by the Plebeians. But to follow him there were none, except the partisans whose

[23] App., Bell. Civ., I. 9.

[24] "Tiberius et C. Gracchus vindicare plebem in libertatem . . . . cœpere." Sallust., Jug., XLII. Ὁ μὲν νοῦς τοῦ βουλεύματος ἦν οὐκ ἐς εὐπορίαν, ἀλλ' ἐς εὐανδρίαν. App., Bell. Civ., I. 11.

strength came from his, instead of being added to it as the energy of more numerous and more vigorous followers would have been. His adversaries, accordingly, contented themselves with the promise of Octavius Cæcina, a rich young Tribune,[25] that he would not suffer his colleague and, as it appears, his friend, to do them harm. Tiberius, full of enthusiasm, entreated Octavius, reasoned with him, threatened him, and offered to pay for all the land that might be taken from him; but without avail.

Tiberius changed the terms of his bill, so as to bear more directly against his antagonists. At the same time he issued an edict, by virtue of his authority as Tribune, suspending all public business until the people should have decided upon his project. But when the assembly was actually convened, the strife between the parties for and against the bill took such a turn, that Tiberius consented to refer it to the Senate, as if he thought its chances better in that body than in the more turbulent Tribes. It was in vain, however, that he informed the Senators of the pecuniary losses to fall upon himself, if he succeeded. In vain he urged the personal and the public motives that should induce his auditory to give him their aid.[26] No prospect of sympathy or of coöperation appeared.

The world has borne many men convinced that it must move as they have desired. Without any

[25] "A grave and wise young man," says Plutarch, Tib. Gr., 10. Plutarch says he was Tiberius's friend; Dion Cassius speaks of him as an old rival, though a kinsman, and at present, therefore, a voluntary antagonist. Frag. Peiresc., LXXXVII.

[26] His discourse is in App., Bell. Civ., I. 11.

real supporters, only encouraged by the high, only admired by the low amongst his adherents, Tiberius Gracchus had expected to carry his bill almost as soon as it was proposed. Opposition, he seems to have thought, could not but vanish before the blaze of light in which he moved. He had not doubted his ability to do away with the interposition of Octavius Cæcina. He had not questioned his power to turn the Senate from resistance to approval. But he was disappointed. Nay, he was informed of plots laid against his life. Already, he was obliged to wear a dagger beneath his robe.[27] Murdered he might be. But he had no fear for his life. Baffled he might be. But he had no fear for his cause. He had taken his ground. And his opponents could not but come round to him.

For all that, Tiberius, like other men of the same stamp, had no mind to wait the motions of others. He must hurry them on to the point whither he believed them tending. Nor would he bide by the laws. He must take them as they ought to be, not as they were.

So from the Senate Gracchus returned to the Forum. Once more he tried to move Octavius by threats and exhortations. Then he declared that he would appeal to the people. "Will Octavius," he asked, "propose that Tiberius Gracchus give in his resignation?" Octavius refused. "Then Tiberius will demand the resignation of Octavius." The Tribes were dismissed to meet again on the next

[27] Plut., Tib. Gr., 10.

day, prepared to decide whether the inviolability of a Tribune should stand in the way of the regeneration of the Commonwealth. It is fair to state the question in terms thus strong.

A greater crowd poured into the Forum on the following day, and with more divided opinions. Many of the warmest friends of Tiberius Gracchus must have come with apprehensions that he was hurrying too fast to draw any cause after him to its advantage. But there were more, undoubtedly, to excite than to restrain him. If the night or the morning had been spent by some in urging their remonstrances against his course, others had thronged his house to bid him be of good cheer against his adversaries, though the whole college of Tribunes should unite with them and their champion. While the partisans of the reformer were thus divided, his antagonists appeared with serried and deepened ranks in which a large number, hitherto careless about supporting either side, were now arrayed. Tiberius rose excited, yet resolved, before the assembly, first to entreat Octavius that he would retract his veto, and then to address the people and propose the deposition of his colleague for contempt of their will and defiance of their necessities. The Tribes began to vote. One after another, up to seventeen, declared their consent to the proposal. Another Tribe voting the same way would make a majority, and decide the question; when Tiberius, pale, perhaps, and surely agitated, called out that the proceedings should be stayed.

The lower classes could scarcely fear, much less

could the upper classes hope that he repented. But all eyes turned with anxiety to the rostra where the Tribunes sat, and where Tiberius stood, with arm uplifted, as he motioned to have the voting cease. It was not to recall the Tribes which had decided, nor to urge those which had not yet voted to adopt a contrary course. He had expected success. It could not, therefore, take him unawares. But Tiberius was one of the few reformers who can be generous towards their opponents as well as towards their supporters. He turned to Octavius, beseeching him to desist from his interposition before the eighteenth tribe voted. The opportunity yet remained, urged his colleague, of preserving his inviolability as Tribune. The tears were seen to stand in Octavius's eyes, as he sat silent in presence of the multitude whom a word from his lips would have turned to rejoicing that they were saved from passing the sentence preferred against him. If he had not been a Roman, we might imagine him to have wept that the noblest designs of his generation exacted such support, rather than for himself, that they excited such resistance. But he simply bade Tiberius do what he would.

The Tribes went on to declare Octavius Cæcina deposed. Gracchus ordered him to be led from his place amongst the Tribunes, but to be protected against the violence with which he was instantly menaced by many indignant at his firm demeanor. A client of Tiberius was elected in the place of Octavius. At the same time the bill for the surrender and the division of the public lands was carried

without any further opposition from its adversaries.[28] Its author defended the means by which it had been brought to pass; saying, that "the Tribune was sacred only in the service of the people," and that "it was for them to decide whom they would have to serve them."[29] But these were arguments, as his opponents may have retorted, to excuse license and anarchy rather than to secure order or liberty.

The preceding account exhibits the trials to which a man of generous desires was subject in undertaking to face the wrong and to uphold the right in Rome. No one could have set himself aside more completely than Tiberius Gracchus did in proposing a measure by which he would be obliged to forfeit a large proportion of his own patrimony in order to relieve a class appearing to most men in his position unworthy of relief or of independence. But while the reformer was foremost in sacrificing his possessions, he was also foremost in urging on his impulses or his convictions. What he thought right, that he expected others to think right likewise. What he deemed wrong, that he required others to deem wrong likewise. It was setting himself up as the law of his nation. For want of a higher law than that of men, the liberty of the ancient Romans had been maimed again and again. For want of it, their liberty must suffer from the means used to relieve as well as from those employed to inflict its injuries.

[28] App., Bell. Civ., 1. 13. Plut., Tib. Gr., 12, 13.

[29] An harangue of considerable length is reported by Plutarch. Tib. Gr., 15.

We return to the Agrarian law. As it required the appointment of three commissioners to receive and to apportion the public domain, Tiberius himself, his brother Caius, then at Numantia, and his father-in-law Claudius were nominated,[30] according to the usual custom of intrusting the execution of any law to its author and his chosen assistants.[31] Although the term of the commission was limited to a single year,[32] its members were invested with authority that would have been sufficient to carry out the law, had not the dissatisfaction of its supporters concurred with the resistance of its opponents in preventing its execution.

The Senate refused the outfit to which the commissioners were entitled. Notwithstanding, Tiberius went forth upon his mission.[33] Then the landholders denied that they occupied any of the public territory, or else claimed so large indemnities as to render its recovery impossible without violence. On the other hand, the newly-made proprietors were contending with one another, if not with the commissioners. Meanwhile the Italians, instead of being relieved by the law, were molested by it. The complaints of those who were turned out of their estates to make room for the clamorous swarms from the metropolis overpowered the thanks of such as obtained a portion of the lands.[34] Tormented by friends and foes, Gracchus returned to Rome, in

[30] Liv., Epit. LVIII. Plut., Tib. Gr., 13.

[31] App., Bell. Civ., I. 13.

[32] Id., ib., I. 9.

[33] Plut., Tib. Gr., 13.

[34] Hence the historian speaks of "the allies" as the most resolute opponents of the law: — Οἱ περὶ τῆς γῆς μάλιστα ἀντέλεγον. App., Bell. Civ., I. 21.

order to obtain more definite authority with regard to the resumption of the public domains.[35] He also appears to have secured a general distribution of the treasure lately bequeathed to the Romans by their ally the king of Pergamus.[36] This would be of great assistance to them in taking possession of their lands. But it was not enough to satisfy the followers of the Tribune. Much less could it silence his adversaries. The execution of the Agrarian law was still a thing to come.

The embarrassments of Tiberius were growing up around him too quickly to be anticipated, and too numerously to be cut away. He tried opposition to the Senate on a question relating to some subject cities.[37] But he was fairly driven from that body by the invectives launched upon him with savage aim. He then endeavored to bring one of his antagonists to trial. But it was unnatural to his disposition to be an accuser or a personal enemy of any man, and his charges were easily parried.[38] On the other hand, though assailed with all the evil spirit that he had roused against himself, he did not seem to be defended by any attachment or magnanimity such as he might be supposed to have inspired. The deposition of Octavius was brought up

[35] Liv., Epit. LVIII.

[36] Plut., Tib. Gr., 14. Compare Liv., loc. cit. The king was Attalus, the third of that name, who had been allowed, perhaps, to retain his kingdom on condition that he would surrender it to the Commonwealth in his will. When he died (A. C. 133), the natural son of his predecessor claimed the kingdom, but was conquered and beheaded. Flor., II. 20.

[37] Those of Pergamus, whose settlement Tiberius averred to be in the control of the Tribes. Plut., Tib. Gr., 14.

[38] "With subtlety of question and answer." Plut., loc. cit. Liv., Epit. LVIII.

against Tiberius by the common people,[39] as well as by the party of the abused Tribune; while a certain Senator went so far as to accuse Gracchus of aspiring to make himself a king.[40] Yet neither the absurdity of the latter charge, nor the vehemence of the former impelled a single man to stand between Tiberius and the blows sure, as soon as the first was dealt, to rain upon him heavily. His spirits fell; and when one of his chosen friends died, as was believed, from poison,[41] his own life being all along exposed to constant danger, the Tribune put on mourning robes to go among the people with his children, entreating that they and their mother might be defended, though he himself were overwhelmed.[42]

Spring-time, however, seemed to return to Tiberius with the arrival[43] of his brother Caius from the siege of Numantia, whence he may have been summoned on his appointment as one of the three commissioners. Caius Gracchus, nine years the younger of the brothers, and therefore, at this time, not more than twenty or twenty-one, possessed the sensibility of Tiberius in union with much greater clearness and much greater strength of mind. Had he been at his brother's side, either the laws would have received no outrage in the person of Octavius, or else, the outrage having been perpetrated, its consequences would have been less serious. But when

[39] Plut., Tib. Gr., 15.
[40] Id., ib., 14.
[41] Id., ib., 13.
[42] Id., ib., 13.
[43] Which may be set down at the present time, according to the hints in Plut., Tib. Gr., 20, and Dion Cass., Fragm. LXXXVIII.

Caius actually came, the condition in which his brother stood admitted of no such remedies as were suggested by his resolute nature. It was equally vain to urge Tiberius to violence after what he had suffered for his single act of the kind, or to triumph in the sight of men who had beheld him weeping and beseeching compassion in the very thoroughfares. Caius was not the less joyfully welcomed. At his persuasions, as at his mother's exhortations,[44] Tiberius shook off the chill that had seized him, and gave himself once more to warmer hopes.

Though we recount the difficulties which Tiberius Gracchus had not been able to overcome, we must give him much higher praise than he has hitherto received. In an age when most men liked to loll upon the bank, or ventured to cross the stream only with their own weight, Tiberius dared to breast the waves, bearing the burden of a helpless people. And when the first essay had blanched his cheek and shaken his frame, he waited only until help arrived to try another, bolder than the one made alone. Trusting in the spirits of his brother and in the counsels of their common friends,[45] Tiberius came forward as a candidate for reëlection, with promises of various benefits to be bestowed upon his fellow-citizens, if they confided in him with the same sincerity that made him wish their welfare.[46] But his projects fell coldly upon

[44] If Juvenal's touches be correct, she must have felt Tiberius's weakness.

"Si cum magnis virtutibus affers
Grande supercilium, et numeras in dote triumphos."
Sat., VI. 168, 169.

[45] Plut., Tib. Gr., 16.

[46] There should be, he is reputed to have said, an appeal to the assemblies in civil as well as criminal cases; the judicial tribunals should be reorganized; the power of the Senate should be restrained;

the people, disheartened, if not offended by the course of the Agrarian law from which they had hoped so much and gained so little. There is no proof that Tiberius relaxed his exertions because they were met by almost universal apathy. He rather seems to have been convinced of the necessity of his being reëlected, in order not only to save others, but to save himself from those who would break forth upon him the instant they perceived him to be undefended.

The few benefited by the Agrarian law, and therefore attached to Gracchus as their benefactor, were too contented or too busied in their new homes to come to Rome beneath a summer sun to vote for him and his candidates. Tiberius had already presented the name of his brother Caius for a place in the tribuneship.[47] But in the tumult excited by the election, Caius seems to have suddenly disappeared. The day wore away in clamor. At its close, the presiding Tribune, unable to report the votes on account of the increasing confusion, declared the election deferred to the morrow. Tiberius descended amongst the crowd, supplicating all who loved him to defend him through the night, lest he should be murdered before he could meet

some place should be provided for the Italians as citizens of Rome; and while these things were to be done at home, the period of foreign service should be curtailed. Plut., Tib. Gr., 16. App., Bell. Civ., I. 14. Vell. Pat., II. 2. Val. Max., III. 2. 17. Dion Cass., Fragm. LXXXVIII. But it is often doubted, and I think for good reasons, whether these were not attributed to Tiberius by confounding his brother's doings with his own. Or if they were really his proposals, they must have been made, as I conjecture, at Caius's suggestion.

[47] Dion Cass., Fragm. LXXXVIII.

them again in the morning. The bolt had pierced his soul.

A large number of citizens followed him home and watched about his house until the morning. It came, dark with omens to him,[48] and tempestuous with the throngs gathering throughout the city as though it were a camp[49] in arms. No mention of Caius is to be found. The remonstrance of an early friend, the Campanian Blossius, alone induced Tiberius to go forth at the head of his followers[50] to the Capitol. There, however, he was so joyfully received by those still true to him as to be for a few moments reassured. But the Tribes no sooner began to vote than the riot of the preceding day was renewed. In the midst of the uproar Tiberius was informed by Fulvius Flaccus, a Senator, and one of his warm adherents, that the Senate was deliberating upon his instant overthrow.

A debate had begun upon the conduct of the Tribune and the necessity of preventing his reëlection. But the chief Pontiff, Scipio Nasica,[51] rose to upbraid the Consul Scævola for having favored the proposal of the Agrarian law. It was an act of treachery, exclaimed the Pontiff, to the Commonwealth. Vehemently applauded by the Tribune's enemies, Nasica called upon all who listened to follow him straightway to the Capitol.[52] Nearly the whole Senate poured out after him, and, with such

[48] Plut., Tib. Gr., 17.

[49] Dion Cass., Fragm. LXXXVII.

[50] "Cum catervis suis." Vell. Pat., II. 3. Cf. Aul. Gell., II. 13.

[51] His grandfather was the first-cousin of Africanus and Asiaticus.

[52] Vell. Pat., II. 3. Plut., Tib. Gr., 19. Alas that Cicero should so often have praised Nasica's deed! De Off., I. 22, 30, etc.

arms and followers as they could obtain, dashed into the midst of the assembly, where the partisans of Tiberius had just before expelled their adversaries by violence. A few blows were exchanged. But the people fled. Tiberius, who had some time before lost all presence of mind, was murdered as he endeavored to escape. His body, with those of three hundred others slain around him, was thrown into the Tiber by night.[53] The credit of his assassination, as if, says his compassionate biographer, it were a notable deed, was disputed amongst his murderers.[54]

He fell after little more than six months[55] had been allowed him to labor for the good of Rome. Some men, sure to scorn or disagree with him, whatever he had done, would join their voices to that of his brother-in-law, Scipio Africanus, who pronounced the murder of Tiberius to be a righteous retribution for his deeds.[56] Others would remember him more justly, and declare that, whatever he had left undone, he was too true a friend to the people, too true a citizen to the Commonwealth, to have been so distrusted, hated, and destroyed.

It seems as if this better spirit had been awakened almost immediately after his assassination. When Blossius, his confidential adviser, was examined before the Consuls concerning his connection

[53] App., Bell. Civ., I. 16. Plut., Tib. Gr., 20.

[54] Plut., Tib. Gr., 19. The first blow was dealt by one of his own colleagues.

[55] "Regnavit" (a taunting word, unworthy of him who used it) "is quidem paucos menses." Cic., De Amicit., 12.

[56] Plut., Tib. Gr., 21. Scipio was then absent in command of the siege of Numantia.

with the murdered Tribune, he confessed to having obeyed all the injunctions of Tiberius during his last unhappy days. "What," asked the Pontiff Scipio Nasica, as eager to convict the counsellor as to slay the leader, "what if he had bid thee burn the Capitol?" "That he would never have done," was the reply. "But if he had so ordered thee?" persisted the Pontiff. "Then," returned the faithful friend, "it would have been a right thing to do; for Tiberius was not a man to order it except for the common good."[57] The people were soon so much excited against the destroyers of the dead, that Scipio Nasica was fain to go into exile.[58]

There was but one reparation that could be made to the memory of Tiberius Gracchus. This was the appearance not of an avenger, but of a successor.

[57] Plut., Tib. Gr., 20. [58] App., Bell. Civ., i. 17.

CHAPTER II.

CAIUS GRACCHUS: REVOLUTION.

"Inde jus vi obrutum, potentiorque habitus prior; discordiæque civium antea conditionibus sanari solitæ, ferro dijudicatæ."

VELLEIUS PATERCULUS, II. 3.

THE successor did not at once appear. All that the brother of Tiberius Gracchus could do was to claim the corpse of the murdered Tribune. "It shall be buried," promised Caius Gracchus, "by night."[1] But the request was refused. Caius immediately withdrew from the sight of those by whom confiscations, banishments, and murders were dealt out unsparingly against the adherents of the fallen reformer.[2]

Now and then, Caius would reappear in order to urge the execution of the Agrarian law. But there were few to support and many to oppose his efforts and those of his fellow-commissioners.[3] On the return of his brother-in-law, Scipio Africanus, from

[1] Plut., Tib. Gr., 20.

[2] Id., C. Gr., 1.

[3] Crassus Mucianus, who succeeded Nasica in the pontificate, took the place of Tiberius Gracchus on the commission. He was father-in-law to Caius. Crassus and the other commissioner, Claudius, dying soon after, were replaced by Fulvius Flaccus and Papirius Carbo, both friends of the Gracchi. The troubles of the commission may be read in App., Bell Civ., I. 18, 19.

the destruction of Numantia,[4] that personage did not hesitate to declare against the measures which had cost the life of Tiberius. It was right, said Scipio, and more than once, it was right that he should have been executed.[5] Nor did the conservative hero confine himself to words. To annul the proceedings of the reformer and his associates, Africanus procured the investiture of a Consul with power to hear appeals from the judgments of the Agrarian commissioners.[6] While this part could be taken by a man like Scipio Africanus, there was little room for a successor to Tiberius Gracchus.

But the room was increasing. The charges one day made by Scipio against the memory of Tiberius provoked the outcries of his hearers. He retorted fiercely. "So ye," he exclaimed, "mere stepsons as ye are of Italy, imagine that your clamor can move me, — me, whom no clamor of your enemies has ever terrified!"[7] Attended home, perhaps that very day, perhaps after some other speech as bitter, by a crowd of delighted partisans, Scipio never came forth again. On the following morning he lay dead in his bed. Some said he died a natural death.[8] Others declared him poisoned or killed by his adversaries. There were a few to charge Caius Gracchus directly with his murder.[9] The slander is a sufficient symptom of the sickliness prevailing

[4] Falling in A. C. 133.

[5] Liv., Epit. LIX. Plut., Tib. Gr., 21.

[6] App., De Bell. Civ., I. 19.

[7] Vell. Pat., II. 4. Cf. De Vir. Ill., LVIII.; Val. Max., VI. 2. 3; Plut., Apophth., tom. VI. p. 760.

[8] "Ut plures." Vell. Pat., II. 4.

[9] Liv., Epit. LIX. App., Bell. Civ., I. 20. This was in A. C. 129, four years from the fall of Tiberius.

where such a citizen as he could be so accused, and such as Scipio could be imagined to be so slain.

It is plain that there were many extreme expedients in practice amongst the popular leaders, as they may be called. A Tribune, Papirius Carbo, was one of the Agrarian commission in the second year following the death of Tiberius Gracchus. He obtained the passage of two laws: one allowing the reëlection of a Tribune as often as he and the Tribes agreed,[10] while the other empowered the Tribes to vote by ballot concerning the laws submitted to their decision.[11] Whatever might be the abstract merit or demerit of these measures, their enactment, at this moment of general distress for land and sustenance, was as much as to bid the people of Rome and of Italy renounce their hopes of actual independence.

Sometimes a Tribune, without attempting to improve even the political position of his constituents, preferred to seek his own exaltation. Atinius Labeo, one of Carbo's successors, incensed at being ejected from the Senate by the Censor Metellus Macedonicus in the preceding year,[12] determined to use the strength of his tribuneship in revenge. Meeting his enemy returning home one day at noon, when the Forum and the Capitol were empty of the crowds thronging there at other hours, the Tribune seized the Censor, and hurrying him, with the aid of attendants, up to the Tarpeian rock, swore that Metellus should be hurled from it as a traitor. The servants of Metellus vainly strove to rescue their master. Nor does it appear that he would have

[10] Liv., Epit. LIX.
[11] Cic., De Legg., III. 16.
[12] Plin., Nat. Hist., VII. 45. Cic., Pro Dom., 47. Cf. Liv., Epit. LIX.

been saved from instant destruction, had not a Tribune been persuaded to interpose his veto against the audacious conduct of his colleague. So far, however, was Atinius from being called to account, that he carried a law endowing the Tribunes with places in the Senate independently of the Censors.[13] If such was the liberty to do evil in Rome, it is no marvel that the liberty to do good should have failed.

Caius Gracchus was rather a looker-on than an actor in these ominous scenes. Except when he exerted himself in behalf of the Agrarian law, he lived in silence, perhaps, after what had passed, in hopelessness. But it was impossible for him to live altogether apart from the agitated groups around him. On one occasion, he appeared in public to defend a friend against apparently perilous prosecution. The learning and the eloquence[14] which he then put forth were sureties that he would not long continue in repose.

It was seven years from the death of Tiberius before Caius Gracchus gave proof of being his successor. At that time, a Tribune, Junius Pennus, proposed the expulsion of aliens from Rome.[15] It may have been to attack the higher classes who counted upon the support of a brawling populace. It may have been, on the contrary, to deprive the popular

[13] Aul. Gell., XIV. 8.

[14] "Vir et præstantissimo ingenio, et flagranti studio, et doctus a puero." Cic., Brut., 33. "Eloquentior quam frater." Liv., Epit. LX. "Nostrorum hominum longe ingeniosissimus atque eloquentissimus." Cic., Pro Font., 16. "All the other orators," says Plutarch, "were but children to him." C. Gr., 1. So Aul. Gell., X. 3. Compare Diod. Sic., Reliq., XXXIV.–XXXV. 24.

[15] A. C. 126. The law of Pennus is described in Cic., De Off., III. 11; with which compare Brut., 28.

party of its numbers, as it was already deprived of its spirits. Whatever was the intention of Pennus, the object of Gracchus in opposing the bill is evident. He had been the abettor of Tiberius in promising the grant of citizenship to the Italians. He would not desert them now that they were assailed under the name of aliens. A line of his discourse in the Forum, where he said that "a Commonwealth must be composed of many different classes," indicates the generosity with which Caius Gracchus embraced the cause of the oppressed.[16] The bill, however, passed.

It had been a sacrifice for Caius Gracchus to come forward. Every time that he entered the Forum, he found himself where his brother had struggled through the last moments of life. To stand in the same spot, pleading the same cause, would have cost Caius dear, though he had had the hope of success to atone for sorrowful memories. This hope, be it remembered, Caius Gracchus could not have had in those dark years.

"It would be my desire," he said in a speech made somewhere about this time, "to rest. My brother perished in your cause. Nor do any of the family of Africanus and Gracchus remain besides myself and an infant. It would be my wish to rest, so that our race might not be utterly destroyed."[17] "Yet whither," he asked, "am I to re-

[16] "Respublicas multarum civitatum pluraliter dixit. . . . . Eæ nationes, cum aliis rebus, per avaritiam atque stultitiam, respublicas suas amiserunt." Festus, s. v., Respublicas.

[17] "Si vellem apud vos verba facere et vobis postulare, quum genere summo ortus essem, et quum fratrem propter vos amisissem, nec quisquam de P. Africani et Tib. Gracchi familia nisi ego et puer

pair? Where am I to turn? To the Capitol? It is running with my brother's blood. To my home? And what shall I see there but my mother, sad, mourning, and overwhelmed?"[18]

As if to escape from the resorts thus haunted by the spirits of the lost, Caius sought the quæstorship.[19] While engaged in the canvass, fatigued and excited by its broils, he one night seemed to see his brother in his dreams. The well-remembered voice of Tiberius breathed an upbraiding. "Why linger, Caius?" were the words. "The death by which I perished is before thee likewise."[20] The sleeper awoke to no joyous emotions. From the night of such a vision, he would live prepared for failure and death. Not so had his brother begun, without a doubt of immediate triumph.

Elected Quæstor, Caius proceeded to Sardinia with a consular army. The same confidence that had been felt in Tiberius by the Numantines was given to Caius by the rugged Sardinians. Such, indeed, was the good report of the Quæstor among strangers, that there came an embassy to Rome from the king of Numidia, announcing the despatch of grain to the forces in Sardinia, on account of the regard which he

restaremus, ut pateremini hoc tempore me quiescere, ne a stirpe genus nostrum interiret, et uti aliqua propago generis nostri reliqua esset: haud scio an lubentius a vobis impetrassem." From the Scholia published by Angelo Mai, with the oration of Cicero, Pro Sull., 9.

[18] "Quo me miser conferam? quo vertam? In Capitoliumne? At fratris sanguine redundat. An domum? Matremne ut miseram lamentantemque videam et abjectam." "Quæ sic," adds Cicero, "ab illo acta esse constabat, oculis, voce, gestu, inimici ut lacrymas tenere non possent." De Orat., III. 56.

[19] The authority of Cicero (De Div., I. 26) is here more reliable than that of Plutarch (C. Gr., 1.)

[20] Cic., De Div., I. 26.

entertained for Caius Gracchus. Instead, however, of there being any respect for him or for the embassy amongst the Senate, the Numidian envoys were denied an audience, while orders were sent to the Consul in Sardinia to continue in command, so that his Quæstor might be kept away from Rome.[21]

But during his two years of absence, Caius Gracchus had recovered all his youthful energies. Strengthened by the manlier resolutions which became his maturer age, he consecrated himself with affectionate vows to the cause for which his brother had perished and he had silently suffered. The covert fears of the Senate quickened his earnest determinations. Instead of remaining with the army, he instantly returned to Rome. Called to account for this proceeding by the Censors, he answered before the people, "I remained at my post as long as I thought it of any use to you, not as long as I considered it of advantage to my own ambition. . . . . My purse," he continued, "which I bore away filled, I have brought back empty. There were others who took away wine-jars, and have brought them home filled with silver."[22] It was plain that Caius Gracchus came, pure of avarice and of treachery, indeed, but with tumult in his train.

An eventful year had just gone by at Rome. Fulvius Flaccus, an early adherent of the Gracchi, and then Consul, had proposed that the rights of citizenship and appeal should be bestowed on those

[21] Plut., C. Gr., 2.

[22] The defence was fuller; but see Aul. Gell., xv. 12; Plut., C. Gr., 2. Caius returned A. C. 124.

Italians who desired to remove to Rome.[23] The same prospect that animated Flaccus to urge, determined his adversaries to resist, the law. Although the Consul made light of their expostulations, he was easily removed by being appointed to the command of an expedition against some Gauls beyond the Alps,[24] in pursuit of whom he forgot his law and all else left behind. But the old heart-burnings of the Italians had been kindled. Fregellæ, a colony established after the great Latin war, and subsequently increased by a large number of Pelignians and Samnites,[25] broke out into revolt. It was promptly and fearfully punished.[26] Yet there were many taught if not to rebel, then to watch with keener eyes their opportunity of obtaining justice from the Romans. A part of the accusation preferred against Caius Gracchus on his return set forth that he had countenanced the rebellion of Fregellæ. But the charge, however grounded, could result only in attracting the confidence of the Italians and in stimulating his own resolves.

He sought the tribuneship at once. Notwithstanding the headstrong opposition of the Senate and its party, he was returned. He stood fourth on the list, however, instead of first, as might have been anticipated. But in the following winter,[27] when

[23] A. C. 125. Val. Max., IX. 5. 1. App., Bell. Civ., I. 21.

[24] Who had attacked the allied city of Marseilles. Liv., Epit. LX. They were subdued, and their territories formed into the province of Gallia Ulterior, A. C. 121.

[25] Liv., VIII. 22, XLI. 8. The name of Italians must be understood as including such colonies, as well as the municipalities and all the allied states together.

[26] Liv., Epit. LX.

[27] That of A. C. 124 – 123. Caius was of the same age as Tiberius, at entering on the tribunate.

his term began, he soon obtained the place of chief amongst his colleagues. Then it was that he entered upon a career not so much of reform as of revolution.

The first proceedings of the new Tribune were directed against his brother's foes. A bill concerning the ineligibility to office of such as were at any time deposed from a magistracy was clearly aimed at Octavius Cæcina, whose conduct in the tribuneship would have been regarded by Caius Gracchus as having been the primary cause of his brother's ruin. Another bill, ordering the prosecution of any magistrates who had banished a citizen without form of trial, was as clearly levelled against Popillius Lænas, the Consul, whose animosity towards the friends of Tiberius was fresh in the memory of all.[28] Popillius, without waiting the result of the measure by which he was threatened, went into exile. But Octavius, who would scarcely have fled had he been actually endangered, was spared, perhaps on account of his connection with the Gracchi, by the withdrawal of the bill of ineligibility.[29] "These men," cried Caius Gracchus, "are the murderers of Tiberius."[30] So, therefore, should Tiberius be avenged.[31]

[28] Popillius Lænas was Consul in the year following Tiberius's death. Vell. Pat., II. 7. Plut., Tib. Gr., 20. These bills are mentioned in Plut., C. Gr., 4. A fragment of Caius's speech against Popillius is in Aul. Gell., XI. 13.

[29] His connection, already referred to, is mentioned in Dion. Cass., Fragm. LXXXVII. There is a letter purporting to be written by Cornelia, agreeing with the part which she is known to have taken in pleading for Octavius. Diod. Sic., Reliq., XXXIV.–XXXV. 25. It begins, "Dicis pulchrum esse inimicos ulcisci," etc., and is found in most editions of Corn. Nepos.

[30] Plut., C. Gr., 3.

[31] "E tre gran furie ho meco:
Ira di patria oppressa, amor de' miei,
E vendetta, la terza; sì, vendetta
Della fraterna strage."
VINC. MONTI, *Cajo Gracco*, Att. I. sc. 1.

These were personal measures. The public measures of Caius are run together on the ancient canvas in masses so confused as to represent a different work to almost every eye. It is more than we can attempt, to restore them to their original relations, and describe the conformity between the foreground and the perspective. It is more than we need attempt. The absence of harmony between one part and another is the characteristic of such reforms as frenzied opposition turns into revolutions.

The first point with Caius Gracchus must have been the Agrarian law. This it was his bounden duty, in the circumstances, to revive from its stupor of many years' duration. As he, with Fulvius Flaccus and Papirius Carbo, was still upon the commission, there could be no difficulty in declaring the law to be in force. But though its vitality was encouraged by various expedients,[32] it does not appear to have been resuscitated to any real advantage. Nor is this the first time that we have to remark the inefficacy of all endeavors to ameliorate the personal condition of the same people who were allowed, nominally at least, to obtain the highest political prosperity. It was in vain that Caius urged the distribution of lands, or directed public works of construction or repairs to be begun, in order to furnish occupation to the poor.[33] The streets were still thronged with indolent or wretched citizens. Even amongst the few who were slowly

[32] Such as a system of general colonization, on the one hand, and, on the other, the assessment of an annual tax upon the new proprietors. Plut., C. Gr., 5, 9.

[33] Id., ib., 6, 7.

changing from citizens to laborers or farmers, the care of procuring common food was the cloud of the morning and of the evening, dispelled neither by breeze nor by sunshine. From the days of Coriolanus down, it had been necessary to distribute grain amongst the lower classes in times of scarcity;[34] and these were the only times which such classes now knew. It did not sound less strangely when Caius Gracchus proposed a bill to secure a regular sale of grain every month, at some price within the means of the poorer orders.[35] The bill was accepted by the Tribes. But the higher classes were up in arms. Whether they resented such an application of the public funds, or such an aggression upon their private profits, they were equally clamorous against the law and its author. They were driving fast, they thought, into anarchy.

Nor was this the only sign. Gracchus was already legislating for the soldiers. What he did or attempted to do for them can be estimated only by two laws, the one reducing the expense,[36] and the other defining the period of enlistment, the beginning of which was fixed at the age of seventeen.[37] To interfere in behalf of those whom the state

[34] Liv., II. 34, III. 31, IV. 12, etc. Later instances are in XXX. 26, XXXI. 4, 50, XXXIII. 42, etc.

[35] Liv., Epit. LX. App., Bell. Civ., I. 21. Cic., Tusc. Quæst., III. 20. The story here of Piso's application proves, perhaps, that the law might have been worded as if for all the citizens. But none besides the poor could have been expected to make use of it.

[36] By providing clothing and arms at the public cost. Plut., C. Gr., 5.

[37] Id., ib. This has been generally explained as directed against the nobility, who enlisted their children in infancy, in order to shorten their term of actual service. So Sir Anthony Absolute put his son, "at twelve years old, into a marching regiment."

claimed as its own peculiar servants was lawlessness itself in Roman eyes.

Caius went on. In the face of contentions incessantly arising at Rome and of remonstrances continually pouring in from the provinces, the Tribune saw one point in the national institutions requiring immediate amendment. This was the administration of justice, hitherto committed to the great assemblies, or to the lesser tribunals whose members were taken from the Senate. Grievous abuses had existed in all these bodies, but in none more than in those of the judges, as the Senators bearing judicial commissions were emphatically entitled. Caius Gracchus proposed the selection of judges from the Knights as well as the Senators.[38] To them he would commit the management of civil and criminal procedures, with careful restrictions upon its proper exercise.[39] The trial of capital cases was still reserved for the general assembly.

Not all these multiplied undertakings had been begun, when Gracchus, without any offer or exertion on his part,[40] was elected Tribune for another year.[41] The confidence of his adherents was at its height; and so widely was his influence obeyed,

[38] This account is based upon very varying authorities, and must be so regarded. Six hundred Knights (according to Liv., Epit. LX.), or three hundred (Plut., C. Gr., 5), were to be added, some say, to the Senators, and then from all together the selection of judges was to be made. Others say that the Senators were not included. See App., Bell. Civ., I. 22; Plin., Nat. Hist., XXXIII. 8; Vell. Pat., II. 6; and the anecdote in Diod. Sic., Reliq., XXXVII. 9.

[39] See the law of Caius Gracchus, mentioned in Cic., Pro Rabir., 5. In Cat., IV. 5. Another law of restriction is in Cic., Pro Cluent., 55.

[40] Οὔ παραγγέλλων οὐδε μετίων, "Neither asking nor canvassing," says Plutarch. C. Gr., 8.

[41] Beginning at the close of A. C. 123.

that, while he had no need of using it directly in his own behalf, he was able to obtain the election of the candidate whom he preferred to the consulship.[42]

Whatever Caius had done or begun to do in his first year of office was but a drop in the torrent required to cleanse his country. There were other stains upon its dominion, as he knew, to be effaced, and other claims upon his care to be answered than those within the walls of Rome. A governor of one of the Spanish provinces had extorted a supply of grain from his unhappy subjects and sent it home. But Caius wrought upon the Senate to return its value to the towns from which it had been plundered, and furthermore to censure the governor for making the Roman authority odious.[43] A law was soon offered by the Tribune, ordering the assignment of the provinces to their respective magistrates before the elections, and in such a manner as to prevent the rapacious Consul or Prætor from using the authority of his office to procure the government best suited to his intentions of pillage. The same law provided that the term of the provincial governors should not exceed a single year.[44] In a similar desire to promote justice and peace, where strife and rapine had reigned supreme, Gracchus interested himself in the organization of Per-

[42] Caius Fannius Strabo, whom we shall presently meet again to our sorrow. The election was conducted apparently under a new law of Caius's proposal, hindering the power of the richer Centurias. "Ut ex confusis quinque classibus sorti centuriæ vocarentur." Ad. C. Cæs. de Rep. Ordinan., II. 8.

[43] Plut., C. Gr., 6.

[44] Cic., Pro Dom., 9; Epist., Ad Div., I. 7, with the comment of Manutius.

gamus, acquired eleven years before. To his exertions its people really owed their preservation.[45]

Nor did Caius Gracchus, in his zeal for the provinces, overlook the nearer realms. He first proposed that the Latins, then that all the Italians[46] should be made full citizens. It must have been in glowing language[47] that he depicted the change of the city to the nation, still, and more than ever, as he would say, the mistress of the world.

"And to bring these things to pass," exclaims Plutarch, in relating with honest zeal the plans of Gracchus, "he took upon himself the entire care, unwearied with so many and so arduous affairs. For it was incredible with what activity and earnestness he carried his projects out, as if he had but one of them in hand; insomuch that they who most hated and feared him were yet amazed at his universal diligence and thoroughness. The people, in particular, wondered to see him surrounded by a multitude of contractors, workmen, ambassadors, magistrates, soldiers, and scholars, to all of whom he gave easy audience with dignity and courtesy of manner. Indeed, he suited his own address to each individual who addressed him; so that they who called him fierce, haughty, and inflexible, were found to have accused him falsely. It was astonishing with what facility he seemed to win his popula-

[45] Cic., In Verr. Act. II., lib. III. 6.

[46] Here, however, we touch upon disputed ground. Velleius Paterculus (II. 6) says "all the Italians." Cf. App., Bell. Civ., I. 23; Plut., C. Gr., 8, 9.

[47] See some words, but apparently of an earlier period, in Aul. Gell., X. 3.

rity."[48] Vehement in action,[49] loud in voice,[50] the Tribune swayed his adherents, it might almost be said his opponents, in a manner that must have amazed them all.[51]

But the secret of his influence lay in his sincerity. "If ye wish," he said, "fellow-citizens, to make use of the wisdom and the valor that there are amongst you, and if ye inquire after them, ye will find that none of us come up to this place to address you without reward. All of us who speak here seek something for ourselves; nor does a single man present himself on the rostra for any other reason than that he may take something away with him when he has done. I myself, now speaking to you, do not appear without a design; yet it is not money, but good report and honor, that I seek at your hands."[52]

It would be well, could we more exactly describe the friends and the foes of the Tribune. But all to be known about them is derived from reflection rather than from positive information that most of the Knights and the larger number of the lower classes were now sustaining him against the fierce repugnance of the wealthy and the powerful.

However this may be, both parties were almost equally opposed to the later movements of the Tri-

[48] Plut., C. Gr., 6.

[49] As the fragment of Dion Cassius (XC.) too sneeringly describes.

[50] Plut., C. Gr., 4. So "marvellous loud," indeed, that he was obliged to modulate its tones by the pipe of a slave. Cic., De Orat., III. 60.

[51] "Dinanzi
Ti tremava il senato; riverenti
Ti fean corona i cittadini; un detto,
Uno sguardo di Cajo, un suo saluto,
Un suo sorriso li facea superbi."
MONTI, *C. Gracco*, Att. I. sc. 2.

[52] Aul. Gell., XI. 10.

bune. From the moment that his designs assumed their noblest proportions, their appearance furnishes the most melancholy contrast to the perilous situation of their author and to the estranged demeanor of his countrymen. Some of the nearest adherents whom Caius had now turned against him. Many more, angered by his exertions in behalf of others besides themselves, withdrew their interest as though it had been unworthily bestowed, gradually preparing, perhaps to hasten, at all events to rejoice in his overthrow. He, for the moment, was absorbed in leading to Carthage a colony, which he was the more eager to conduct, on account of its being chiefly composed of Italian emigrants.

At the persuasion of the Senate, one of the Tribunes, Livius Drusus, a man distinguished by birth, wealth, and eloquence, had taken the lead of the opposition against Gracchus, then setting out, hardly already gone, to Carthage. To this new leader a craftier policy than any yet employed by his party suggested itself or was suggested.

Reaction seemed to be uncertain until the revolution which Gracchus had achieved was carried farther by other hands. Accordingly, Drusus, in the name of the Senate,[53] began to outbid Gracchus in the favor of the populace. Instead of the two or three colonies, formed of respectable citizens, and charged with public obligations, as proposed by Caius, Drusus spoke of twelve that should be made up of the lowest classes and relieved from tax or

[53] "Largitor nomine Senatus." Tac., Ann., III. 27.

charge of every kind. Whatever had been attempted in sincerity by the one was thus imitated by the other Tribune, until Drusus and the Senate were believed to be the benefactors, while Caius Gracchus was regarded as the opponent of the people.[54]

These things are supposed to have occurred while Gracchus was absent. He appears to have returned with haste, in consequence of the intelligence received from Rome. The first point with him being the recovery of his faded popularity, he removed his residence from the Palatine to a humbler quarter near the Forum. He then made one more effort to bring such of his measures as were yet undecided before the Tribes. But his influence was too far upon the wane to shine again as that of the truest man[55] hitherto appearing among the conquerors of the earth. They who had basked the most in his light were the busiest in proclaiming or precipitating its extinction. Even the Consul who had owed his election to the Tribune now led the hue and cry against him, by ordering all Italians and strangers of every name to leave the city. When Gracchus retorted with promises of protection to such as would remain,[56] the Consul harangued the people with so much effect[57] that they united in his

[54] Plut., C. Gr., 9.

[55] I use the expression intentionally. No stories are more to his discredit than that related concerning his pursuit of his brother's enemies, and another of apparently similar passion, very unconnectedly preserved in a fragment of Diod. Sic., Reliq., xxxiv. – xxxv. 27. "In virtue and reputation," rejoins Plutarch, "he was the first amongst his contemporaries." C. Gr., 18.

[56] Plut., C. Gr., 12. A most improbable story is told of his having failed to give protection to one who claimed it at his hands. It might have been so, but not in the circumstances which Plutarch narrates.

[57] Cic., Brut., 26.

support, or rather in that of the Senate to whom he was but a mouth-piece. The revolution of Caius Gracchus was ended.

Abandoned, or else unavailingly supported, Caius Gracchus was passed over by the Tribes in the ensuing election of Tribunes.[58] The Centurias soon after elected to the consulship one of his bitterest enemies, Lucius Opimius.[59] His avowed intention to bring Gracchus to account for his deeds was immediately proved by an attack under cover of a bill to recall the colony from Carthage, where, in fact, it had met with many sinister omens and real misfortunes. The decision of the people upon this bill was to be their decision, as all knew well, upon every movement that Gracchus had made. Yet when the assembly was convened upon the Capitol, it was Fulvius Flaccus who opposed the relinquishment of the colony, while Caius strode up and down in the portico beside the open square, as if he had been an uninterested spectator. His thoughts may have wandered from the proceedings before him to the hour in which his brother had come to the Capitol to be slain, or to that silent night in which the same fate had been foretold to him. Some one was so foolish or so dastardly as to insult him, as he walked beneath the portico. At this certain of his followers, perhaps included in the

[58] It was rumored, says Plutarch, that Caius would have been returned but for the false play of his colleagues. C. Gr., 12.

[59] This Lucius Opimius was an adversary of Gracchus as long before as the destruction of Fregellæ; and at the consular election of the year preceding the present, his candidature had been defeated by Caius's exertions.

affront, slew the man before their leader's eyes. But he, far from approving their violence, rebuked them for having given their enemies an excuse for violent measures in return.[60]

The assembly, that day, was broken up by a shower of rain. On the morrow, the corpse of the murdered citizen was placed before the very doors of the temple in which the Senate were gathered. When the excitement had reached the proper point, the decree was passed and proclaimed to the people, that the Consuls were armed with absolute authority in the defence of the Commonwealth. On hearing this, Fulvius Flaccus declared, as was his wont, that he would defend himself against the Consuls, and began to collect his followers. Gracchus, on the contrary, convinced that the time of his destruction was arrived, turned away quietly to leave the Forum. As he proceeded homewards with some few followers, sorrowing, yet wondering at his voiceless withdrawal, the statue of his father seemed to stand in his way. He stopped, lingered, looked at it inquiringly, and burst into tears. Whether shed for himself, for his household, or for his country, those tears were equally sincere and equally unavailing.

Some friends watched with him through the succeeding night. They accompanied him in the morning, when he parted from his wife and child with heavy heart, to join a disorderly troop collected by

[60] The man and the cause of his murder are differently described in Plut., C. Gr., 13; App., Bell. Civ., I. 25.

Fulvius Flaccus upon the Aventine. Caius went unarmed, as if he were simply going to the Forum.[61] He had no other intent but that of preventing bloodshed amongst his excited adherents, who, with Fulvius at their head, would have slain the Senate or fired the city, so that their much-loved leader might be preserved. Gracchus persuaded Fulvius to send his son, — a most beautiful boy, says Plutarch, — with a message of peace to the Consul and the Senate. It proved ineffectual. Then Caius himself sought to go amongst his enemies, but was kept back by persuasion or actual force. The young Fulvius was again despatched. Opimius, the Consul, ordered him to prison, and instantly began his attack "with soldiers and archers" upon the Aventine. Fulvius Flaccus soon fled, but was murdered, with his eldest son. His most zealous followers escaped whither they could, or were cut down; while all less earnest or less bold availed themselves of the amnesty proclaimed to any such deserters.

Caius Gracchus, after having done his utmost to impede the affray, betook himself into the neighboring temple of Diana. There he would have killed himself, but for two faithful friends, Pomponius and Licinius, who wrenched his dagger from his hands and hurried him away. They then kept the bridge over the Tiber[62] against his pursuers until both were slain. Caius, saved for a moment longer by their devotion, hastened into the grove of the Furies, where he fell, at his own entreaty, by the hands of

[61] Plut., C. Gr., 15.

[62] "More Coclitis." Vell. Pat., II. 6. Cf. De Vir. Ill., cap. LXV.

Euporus,[63] his slave, the only partaker, besides Licinius and Pomponius, of his master's perils. The body of Caius, after being brutally mangled, was hurled into the Tiber, as that of Tiberius had been eleven years before. In all, there fell, that day, three thousand; a vain and a fearful holocaust to the liberty of Rome.

The widow of Gracchus, deprived of her dowry, was forbidden to mourn her husband's fate. His, or rather Fulvius's followers who survived the slaughter upon the Aventine were strangled in prison. All the atrocities that frenzied foes could invent were committed against his memory, and those by whom it was cherished.[64] He was said during his bitter agony in the temple on the Aventine, to have implored Diana that his cruel countrymen might never come out of bondage.[65] His prayer, if he made it, was answered almost before it was uttered. The retribution of his fate descended not only upon those who had driven him to death, but upon the whole people that had suffered him to die.

Papirius Carbo, who deserted the fallen cause with as much selfishness as he had embraced it, became Consul the next year. He then assumed the defence of Opimius for his malignant vengeance upon Gracchus and his followers. But on being accused at last, Carbo took poison,[66] overwhelmed by his

[63] Vell. Pat., II. 6. De Vir. Ill., LXV. Plutarch (C. Gr., 17) calls the slave, whose name well deserves to be rightly given, Philocrates.

[64] If any one would have more of them, see App., Bell. Civ., I. 26; Plut., C. Gr., 17; Vell. Pat., II. 7.

[65] Plut., C. Gr., 16.

[66] Or else went into exile. Val. Max., III. 7. 6.

own ignominy. Opimius, whom he had successfully protected, was, some years later, condemned on other grounds,[67] and finally died a miserable exile. Popillius Lænas, the persecutor of Tiberius's adherents, was allowed to return from banishment, on motion of a Tribune, Calpurnius Bestia. But Popillius lived in obscurity, and Bestia shared the fate of Opimius in after years.[68]

The punishment of the people was equally sure. For some time, indeed, corn was provided for them by the law of their forsaken Tribune. Nor did they who had obtained lands or employment through his favor immediately lose their gains. But one measure after another in behalf of the lower orders was either repealed[69] or so perverted as to be no longer distinguishable for what it had been intended. The nation was but a waste of angry waves.[70]

The higher classes continued to hold the Gracchi in detestation.[71] But there were others to honor the fallen. The statues of the brothers were set up in public places; and in the spots where they fell many of the Romans accustomed themselves to lay their offerings and to recite their prayers. But the mother Cornelia was the only real mourner. Her answer to some who would have consoled her in her childless age was their noblest monument while

[67] For taking bribes from Jugurtha. See Sallust., Jug., 16. Cic., Brut., 34.

[68] Cic., Brut., 34. Sall., Jug., 40.

[69] See App., Bell. Civ., I. 27.

[70] "Hoc fonte derivata clades
In patriam populumque fluxit."
Hor., *Carm.*, III. 6. 19–20.

[71] In which they were joined even by Cicero. De Off., I. 22, II. 21. In Cat., I. 12, IV. 5. The only exceptions I recall are in his oration De Leg. Agr., II. 5, 29.

she lived, and is still the noblest now that she and they have been dead two thousand years: — "I can never be called unhappy, for it is I who gave birth to the Gracchi." [72]

[72] "Nunquam non felicem me dicam quæ Gracchos peperi!" Seneca, Ad Marc. Consol., 16. Cf. Ad. Helv. Consol., 16; and see Plutarch's touching account at the end of his biography of Caius Gracchus.

CHAPTER III.

CORRUPTION.

"After long looking o'er the ocean wide
For the expected ebb."

BYRON.

REFORM had been rejected. Revolution had been suppressed. What then could triumph but corruption?

The ideal character of the age was that of Metellus Macedonicus,[1] the Censor mentioned as having been assailed by one of the late Tribunes. "It would be a difficult thing," wrote the historian, "to find a man of any nation, age, or rank, whose good fortune could be compared with that of Metellus."[2] The good fortune of the Roman, conspicuous abroad and at home, in public honors and in private privileges, was ascribed by his countrymen to the goodness of his character. No virtue higher than his could be conceived. For no felicity greater than his could be beheld or remembered. Fame filled the places where he lived and died with an incense through which it is not easy to measure his fortune

[1] He died A. C. 115.

[2] Vell. Pat., I. 11. See the panegyric of the admiring chronicler in Val. Max., VII. 1. 1, and look into Plin., Nat. Hist., VII. 45, or Cic., De Fin. Bon. et Mal., V. 27.

or his excellence. But other things are told about him than his eulogies contain. There was a general who took pains, at the end of his service in Spain, to destroy the efficiency of the army under his command, because his successor was a personal enemy.[3] There was a rich man, and a noble, who came forth to reproach Tiberius Gracchus for his exertions in behalf of the poor, and for the marks of attachment received from them by him.[4] The rich man and the general were one and the same Metellus.

Where such a man was the ideal of his contemporaries, they must have lived by a corrupted standard.[5] The proofs of this at Rome come numerous and close. In one year, the Censors expelled thirty-two members from the Senate.[6] In another, three Vestal Virgins were convicted of the worst crime with which it was thought that they could be charged.[7] A Consul, Porcius, the grandson of the great Censor, Cato,[8] sent against the barbarians of Thrace, not only lost his army,[9] but, as if to make up for his defeat, committed the wildest extortions

[3] Val. Max., IX. 3. 7.

[4] Plut., Tib. Gr., 14. Cic., Brut., 21.

[5] An epitaph upon a Scipio who seems to have died about this time would be a better testimony than the eulogies of Metellus to the Roman ideas of character, if it were certain who its subject really was. I give it with the abbreviations filled out: —

"Cneius Cornelius Cneii filius Scipio Hispallus,
Prætor, Ædilis, Curulis, Quæstor, Tribunus Militum II. (bis) Decemvir, Decemvir Litibus Judicandis, Decemvir Sacris Faciendis.
Virtutes generis meis moribus accumulavi.
Progeniem genui. Facta patris petivi.
Majorum obtinui laudem ut sibi me esse creatum
Lætentur. Stirpem nobilitavit honor." Orelli, Inscrip. Lat., 554.

[6] A. C. 115. Liv., Epit. LXII.

[7] A. C. 114. Oros., V. 15.

[8] He was likewise a nephew of Scipio Africanus, and, in his youth a follower of the Gracchi.

[9] A. C. 114. Liv., Epit. LXIII. Eutrop., IV. 24.

in the province of Macedonia. For these he was afterwards brought to trial and condemned.[10] Yet such was the indifference towards crimes of which it is sad now even to read, that Porcius Cato was subsequently raised to high station in the army.[11] Two of the Vestal Virgins were at first acquitted by the Pontiffs.[12] Several of the degraded Senators were soon afterwards invested with the highest honors.[13] Meanwhile the Roman rulers were contented with reviving old sumptuary laws, or enacting new ones.[14] If they went farther, it was as when a Gaul and a Greek of either sex were once more brought out to be buried alive in the Forum.[15]

Strife spread with corruption. Each of the parties hitherto contending was subdivided into two factions almost as fierce against each other as against their common adversaries. The higher orders were opposed as Senators and Knights. The lower were battling as Romans and Italians. Each division had its retainers from amongst the paupers, aliens and slaves composing the mass of the population.

So much separation, so much corruption amongst the different classes betokened universal weakness. Not only was each class enfeebled. But the nation

[10] Vell. Pat., II. 8.

[11] He was lieutenant in one of the expeditions against Jugurtha, by whom he was easily persuaded to treachery. He took refuge, afterwards, at Tarragona. Cic., Brut., 34; Pro Balb., 11.

[12] Being found guilty, however, before the Prætor in the following year. Oros., v. 15.

[13] Val. Max., II. 9. 9. Cic., Pro Cluent., 42; In Verr., III. 80.

[14] A law of Æmilius Scaurus, Consul in 115, forbade dormice for supper. Plin., Nat. Hist., VIII. 82. Another law, though later perhaps, is mentioned in Aul. Gell., II. 24.

[15] Freinshem., Suppl. Liv., LXIII. 17.

of which each class formed a component part was shorn of its strength. How was it to be maintained against its own divisions? How was it to be defended against its foes?

The character of the leader whom it obtained must answer our inquiries. The day of those who struggled for others was passed. That of leaders struggling for themselves was come. Not yet, indeed, could any strive for their own interests without striving for those of the state likewise. But the state was no longer to be served alone. All that it could demand was one or more who should serve it as well as themselves.

The year after Caius Gracchus perished, Caius Marius was elected Tribune.[16] A greater contrast to his unfortunate predecessor could not easily have been found amongst the Roman people. Not merely was Marius born of unknown parents,[17] and in a village dependent upon one of the distant towns of Latium, Arpinum by name. But all his experiences had been gathered, all his purposes had been formed, during the fifteen years or more which he had spent in the wars. Instead of being attractive in person or gifted in mind, Marius was one of the least intellectual and least graceful amongst his generation. Instead of presenting himself as a candidate for office, he came forward under the patronage of one of the great Metelli. Such a man could have showed no promise of becoming a popular leader.

[16] A. C. 120. He was thirty-eight years old.

[17] His humble parentage is mentioned besides in Florus, III. 1; Juvenal, Sat., VIII. 245 *et seq.*

He rather seemed to be the instrument of the higher classes. Scipio Africanus, it was rumored, had declared that Marius might prove his successor.[18] But in the depression and division of the popular faction, Caius Marius was accepted as one of the Tribunes.

Thought of sufferings seen in war or peace was not the inspiration of the new magistrate. Nor was there any hope on his part of saving the Romans or their subjects from the dangers encompassing them. Dangers of the sort to be perceived by the Gracchi were not likely to be distinguished by their present successor. He came from combat in the field, where he had fought for Rome and for himself. He came to combat in the Forum, where he would continue to fight for the state and for his own renown. What had others to claim from him? What had he to give to others? Nothing, surely, but blows.

No man could be more consistent from the beginning. The favor of his general and of other great men had ushered him into public life. But not for that would he stoop to the high any more than to the low. No sooner had he been installed in the tribuneship than he turned against the party to which he had apparently owed his election. The measure proposed by him evidently related to the control exerted by the aristocracy over the elections during two or three preceding years. So skilfully was the project devised,[19] that one of the Consuls,

[18] Plut., Mar., 3. Marius served under Scipio at Numantia. What sort of intercourse was there between Marius and Caius Gracchus while they were comrades?

[19] The bill ordered the *pontes* or

Aurelius Cotta, persuaded the Senate to call the Tribune to account for his unexpected hostility.

Marius obeyed the summons. But it was to brave the Consul and the Senators to their faces. He even dared to threaten Cotta with imprisonment, if he opposed the obnoxious bill. Metellus, the other Consul, probably the same who, while canvassing for himself, had assisted Marius, arose to support his colleague. But the Tribune declared that he would order Metellus also to prison. Metellus appealed to the other Tribunes, but ineffectually. The bill, being brought before the Tribes, was carried without further opposition.

That it was not in the mind of Marius to please the lower, so much as to defy all classes, was straightway proved. Strenuously did he resist a proposal, probably made by one of his colleagues, that grain should be distributed, perhaps gratuitously, amongst the people. Marius would very likely explain his interposition against the projected bounty by saying it was better for the Commonwealth that its citizens should take care of themselves. But the truth was, that he liked to combat any cause better than to support it. He began with hostilities against the aristocracy, not merely because they were most fit to be assailed, but because they would be the most fierce against him in return. Having declared himself against the higher orders, he took the first opportunity to show his independence of their inferiors.

entrances to the voting-places in the assemblies to be made narrower, so as, probably, to prevent disorder and interference. See Cic., De Legg., III. 17. Plut., Mar., 4.

The provocations to make these assaults were manifold. But a man like Marius could not direct his blows where they would always be effectual. Against many proofs of the prevailing corruption he took no action. For he did not perceive them.[20] Against many others the action which he did take fell short of its aim on account of the impetuosity wherewith it was begun. The consequence was, that his onslaught gained him few adherents amongst those for whom he had effected nothing, while those whom he directly assailed marked him as one to be resisted, thwarted, and overwhelmed. Votes failed him almost totally, when he sought the ædileship. On his appearing, a year or two after, as a candidate for the prætorship, so little enthusiasm was raised for him that he nearly lost his election, while so much energy was directed against him that he was immediately prosecuted for bribery.[21] Without having gained ground during his year of office, he proceeded, at its expiration, to Spain, his appointed province.

On his return, he married Julia, a woman of the highest Roman family. It seems to have been a singular alliance. Whatever brought it about, it brought about a great deal. It must have impaired the little attachment that there was between the popular party and Marius. The little that there was between him and the aristocracy may have been increased. But the marked effect of his mar-

[20] No man, for instance, was more superstitious. He pretended, himself, to some skill as a diviner. Val. Max., 1. 5. 5. The Syrian prophetess was a later acquisition. Plut., Mar., 17.

[21] A. C. 115. Plut., Mar., 5.

riage was the determination of Marius to rise high by his own power. He had been a contentious rather than an ambitious man. From that time he was ambitious as well as contentious.

A public foe was appearing in Jugurtha, the Numidian. He had learned the weaker as well as the stronger points of the Romans by serving in their army before Numantia, whence he returned home with the most brilliant praise from Scipio Africanus.[22] Regardless of the Roman policy towards his race, Jugurtha made himself king, partly by valor but chiefly by crime.[23] Interposition from Rome was parried by bribery so overpowering that Jugurtha was promised a safe conduct to the city, if he would but assist its rulers with testimony against the envoys and the commander whom he had corrupted.[24]

This suited his purpose as well as that of the party who had sent for him; and he accordingly repaired to Rome. But on coming before the assembly to relate what had passed in Numidia, he was silenced by the veto of a Tribune attached to the party of those who had been bribed.[25]

So corrupted a nation could excite nothing but contempt with the Numidian. His intrigues continued until he ventured upon an act of violence so insolent to those amongst whom it was perpetrated,

[22] "Jugurthæ tui," wrote Scipio to Micipsa, the king and the uncle of Jugurtha, "bello Numantino longe maxima virtus fuit; . . . . nobis ob meritos carus est." Ap. Sall., Jug., 9.

[23] A. C. 112. Sall., Jug., 11 *et seq.*

[24] Id., ib., 32, 33.

[25] Id , ib., 34.

that he was commanded to depart.[26] He is said to have exclaimed, as he went, that the city would be sure to fall as soon as it obtained a purchaser.[27] The war, previously begun against him, was at once renewed. But the baits still thrown by Jugurtha before his pursuers, as well as the surprises in which they were involved, left him victorious.[28]

"There was that in Jugurtha," says the historian, "which could be feared though Hannibal had been overcome."[29] But between the earlier and the later war the Romans had greatly changed. The Scipios had lived. The Gracchi had died. And the nation warring with the Numidian on his own ground seemed to breathe harder than when it had struggled with the Carthaginian on the soil of Italy.

Four years had passed since Jugurtha made himself the sole king of Numidia, when the Roman rulers shook off their weakness. The nephew of Metellus Macedonicus, Quintus Cæcilius Metellus, than whom there was none among the aristocracy more distinguished for integrity, was elected Consul. He was then invested with the command of the army in Numidia.[30]

It is an indication of the military repute in which Marius was held, that Metellus chose him, at such a crisis, for his lieutenant. The appointment may also prove that the breach between the Metelli and

[26] Sall., Jug., 35.

[27] Liv., Epit. LXIV. Sall., Jug., 35.

[28] Id., ib., 36, 38.

[29] "Fuit in Jugurtha, quod post Annibalem timeretur." Florus, III. 1. See Sallust's account of the Numidian, Jug., 6.

[30] A. C. 109. The war had begun in 111. This Metellus was probably the cousin of him who aided Marius in obtaining the tribuneship.

their early favorite, perhaps between him and the whole aristocracy, had been repaired, since the indifference of the lower classes had left him less dangerous in aspect towards the upper orders. However this may have been, Marius appears to have gone forth from Rome with ardent resolution, for his own sake as well as for that of his country, to assist Metellus in bringing the Numidian war to an instant close.

But though Metellus kept his command for two years and gained some great victories, the enemy was far from being subdued. The protection which he had found in the corruptibility of his former opponents was afforded to him by the hostility arising between the present ones. While Metellus and his lieutenant quarrelled, Jugurtha triumphed.[31] At length, Marius succeeded in getting to Rome, where he demanded the consulship and the command of the war. "Elect me," he urged, "and I will either kill Jugurtha, or take him prisoner." [32]

The altercation with Metellus must have brought down upon Marius all the previous displeasure of the aristocracy. On the other hand, the favor of the populace was as far as ever from being bestowed upon him. It is a proof of the humiliation to which the Romans were already bending, that they should have elected Caius Marius to the highest office in their gift.[33] He was the only man to give, and to

[31] Plut., Mar., 7, 8. Sall., Jug., 55 *et seq.*

[32] Plut., Mar., 8. This was at the end of A. C. 108.

[33] "Irrupit magis in curiam quam venit." Val., Max., VI. 9. 14. "Perculsa nobilitate, post multas tempestates, novo homini consulatus mandatur." Sall., Jug., 73.

inspire confidence that he would carry out the promise of extricating the nation from its shameful contest with Jugurtha.

"I know," Marius is reported to have said, soon after his election, "I know that the eyes of all are turned upon me. The good and the just are on my side, for my services are plain to them. But the nobility wait a chance of attacking me. So I have the more to do, that ye may not be injured, and that they may seek in vain to injure me. . . . . But compare me, Romans, compare me, the new man, with the arrogance in them. What they are wont to hear or read, I have seen or done. What they have learned in books, I have learned in war. Think now, yourselves, whether deeds or words be of greater value. These men, I tell you, despise my want of birth. I despise their want of soul. They upbraid me with my rank. I upbraid them with their shame. . . . . They envy me, too, my honors. Let them likewise envy me my labors, my virtues, and my perils, since it is through these that I have risen to honor. I have no images, no triumphs, no ancestral consulships to parade before you. But if need be, I can show you spears, banners, trappings, and other rewards gained in service as well as my wounds. Such are my images, such is my nobility, not, indeed, bequeathed like the heritage of my foes, but won through suffering and danger. . . . . I cannot speak in highflown words. But I can wound an enemy or mount a guard; I can face every thing but evil report; and I can bear summer and winter, fatigue and want,

with equal fortitude. . . . . And now that I have said this," he continued, "let me say something concerning the Commonwealth."

If the character attributed to Marius in the foregoing pages has been sketched with any sort of distinctness, the reader will not be surprised by the spirit of the preceding language, or by the patriotism in the concluding part of the harangue. But to understand his tone "concerning the Commonwealth," he must be seen as he stood, a man of fifty years, rugged in feature and in tongue, proud in himself and bitter against his adversaries, with scarce a friendly feeling towards any but the few who called themselves his friends. "Concerning the Commonwealth, then," he added, "be of good cheer about Numidia. Ye yourselves have put to rout the avarice, the ignorance, and the haughtiness in which Jugurtha has hitherto found defence amongst you. And now do ye, who are of age, give me your aid, and I will be not only your leader, but your comrade. I would say more, if words could add valor to the timid; but I think I have said more than enough for the brave." [34]

With new forces, principally raised from the lowest classes,[35] besides whom there were few Romans or even Italians to enter upon military service, Marius hastened to Numidia. There he took the army of Metellus under his command, and immediately began his operations against the enemy.

[34] See the whole speech as reported or composed by Sallust in his Jug., 85, and compare Plut., Mar., 9.

[35] The enlistment of such was far from palatable to the higher classes. Sall., Jug., 86.

The confidence of his soldiers[36] and the dread of the Numidians, who feared him as more than mortal,[37] enabled him to close the five years' war. The adversaries of the conqueror would have given the credit of the victory to Lucius Cornelius Sulla, a Quæstor under Marius, into whose hands the Numidian king had been betrayed. But before the return of Marius from Numidia, where he lingered in order to settle the country as a province, he was elected to the consulship.[38] The larger part of his countrymen welcomed him home as the greatest hero of their times.

He was already counted upon to finish another war far more threatening than that from which he was then returning. A horde of barbarians, driven, it was said, by some dreadful inundation of the sea from the Baltic shores, but known only by name as the Cimbri and the Teutones,[39] with whom various tribes from Central Europe joined themselves, defeated within six years[40] four Roman armies endeavoring to stay their progress. At about the time of Marius's departure from Numidia, a fifth army, though composed of a double consular force, was confronted in Gaul, and there destroyed.[41] The ter-

[36] Sall., Jug., 87. See the description of Marius as the general, Capp. 87, 100.

[37] Id., ib., 92.

[38] For the year A. C. 104. His triumph was "very glorious," says Sallust, Jug., 114. Metellus had obtained his triumph and the surname of Numidicus (Vell. Pat., II. 11) before Sulla was taken by the aristocracy for their hero. Jugurtha was put to death in prison after Marius's triumph. Liv., Epit. LXVII. Plut., Mar., 12.

[39] In numbers, perhaps with their allies, they were reported at 300,000 fighting men. To say truly, however, as Plutarch wrote (Mar., 11), "none knew who they were, or whence they issued, like a cloud."

[40] A. C. 113–107. Liv., Epit. LXIII., LXV., LXVII.

[41] A. C. 105. Liv., Epit. LXVII.

ror of the Romans, victors as they were, was always easily aroused by the din of barbarian arms. The rumor easily spread, that the fearful warriors were bent upon ravaging Italy and sacking Rome.[42] It was in face of this report, and after these actual losses, that Marius was elected Consul, not only for the second, but, as the invaders delayed their coming, for the third, the fourth, and again for the fifth time.[43]

Already had the Romans been brought to depend upon others besides themselves. Already, too, had those upon whom they thus depended been reduced to helplessness. The Senate gave Marius the authority to levy troops wherever he could raise them against the barbarians. Accordingly he sent to King Nicomedes of Bithynia, then in the alliance, as it was called, of Rome, to seek the required auxiliaries. But instead of a showy troop with arms and banners, the king sent back a simple message, that the greater part of his Bithynians had been already dragged away by the Roman Publicans, to serve them as slaves in their provinces. The Senate, to whom this answer was returned, gave the wider vent to their indignation, inasmuch as the Publicans belonged to the Knights, the nearest and most perilous adversaries of the Senators. An edict was rapidly put forth, ordering that no freeman of an allied state should thereafter be reduced to slavery, and that the governors of the various provinces should

[42] Plut., Mar., 11.

[43] That is, for A. C. 103, 102, 101, successively. Plut., Mar., 14, 22.

at once set at liberty all such as were then enslaved within the Roman realms.[44]

Meanwhile Marius was making ready to withstand the invaders in Gaul. In the third year of the campaign, when he was Consul for the fourth time, he won the victory at Aquæ Sextiæ.[45] Then and there were the Teutones overwhelmed.

The other division of the barbarians, that is, the Cimbri, were driving the army under the command of the Proconsul Lutatius Catulus to the Roman side of the river Po. Marius had already told his troops that they were come out to fight against a tempest which menaced Italy with ruin.[46]

While his army was on the march, he hurried to Rome at the summons of the Senate. But for him, it seemed to be felt that all would soon be over.[47] The Senate sent for him to ply him with entreaties, exhortations, and honors. His rude heart must have swelled almost to bursting with the glory in which he walked amongst his countrymen. But the weakness in which they lay around him urged him to be up and doing before his glory and theirs were extinguished in common ruin.

Speeding back to his army, Marius united it with that of Catulus in pursuit of the invaders. Overtaken near Vercellæ, they were not only defeated but annihilated.[48]

[44] Diod. Sic., Reliq., XXXVI. 2.

[45] "Duobus prœliis." Liv., Epit. LXVIII.

[46] Plut., Mar., 16.

[47] "Actum erat," says Florus (III. 3), "nisi Marius illi sæculo contigisset." "Et solus trepidantem protegit urbem." Juv., *Sat.*, VIII. 250.

[48] Liv., Epit. LXVIII. See the account of the invasion and the invaders in Luden's Hist. of the Teutonic Race, Book I. ch. 3, 4.

The reaction from terror to insolence at Rome was immediate. Taunted by the very men who had just before been hanging on his promises, Marius heard the success at Vercellæ ascribed to Catulus. He was too high to be affected by the grovelling slanders of those whom he had saved.[49] Instead of triumphing by himself, he shared his honors for the defeat of the Cimbri with Catulus, while he refused the solitary celebration offered him for his victories in Gaul.[50] The passions of the warrior had been fed to repletion upon the excitements and achievements of his later years. He was resting after having preserved, some said after having newly founded Rome.[51]

Not for himself alone had Marius striven. On the other hand, he had not striven for the state alone. The work, therefore, which he had done was insecure. It was likewise incomplete. Only upon the frontier had he warded off the effect of corruption. It was still to be stayed or to be let loose at the centre of the Commonwealth.

[49] The account in Plut., Mar., 27, must be taken as one derived from the authority of Marius's enemies, perhaps from the Commentaries of Sulla.

[50] Liv., Epit. LXVIII. Plut., Mar., 27.

[51] Plut., loc. cit. Val. Max. VIII. 15. 7.

CHAPTER IV.

SEDITION.

"Working up
Their madness to a fury quick and desp'rate;
Till they ran headlong into civil discords."

OTWAY.

CONFUSION reigned at Rome. More and more amongst the citizens were shaking off their dependence upon the state. But it was not to free themselves. It was not to renounce the long-acknowledged centralization. It was rather to carry out the ancient system by making their faction or themselves the masters of every other party. To attempt this was to increase all previous disturbances. It was to stimulate all previous animosities.

Hostility spread like the mist from the sea. Seek what place we will, and, however retired or protected it be, it is enwrapped in the same penetrating vapor. The name of Lucilius[1] recalls the poet turning from comedy and tragedy[2] to satire. Born in high rank,[3] and admitted to the familiarity of

[1] Born, according to the Eusebian chronology, A. C. 148, and died in 103.

[2] Cæcilius Statius (died A. C. 168), a freedman from Insubria, was one of the recent comic writers. Marcus Pacuvius (died A. C. 130), a nephew of Ennius, had been renowned for his tragedies and for his paintings likewise. See also Aul. Gell., xv. 24.

[3] Velleius Paterculus (II. 9) men-

many higher than himself,[4] Lucilius had come in contact with the ways of thought and action amongst the aristocracy. In his youth, he served with Caius Gracchus, to whom he may or may not have given sympathy. At all events, he armed himself against the wrongs that had been exposed. Drawing his sword, as one of the later satirists wrote, Lucilius pressed on hotly against all classes.[5] His compositions are not preserved. But they are described with sufficient clearness to indicate the prevalence of strife. Not pursuing the rulers alone, he dashed in, as another of his successors describes, amongst the people "tribe by tribe."[6] Nor did he rest, as his own words bear witness, until he had hurled defiance at the immortals.[7]

Such being the passions of the poet, those of the men devoted to public pursuits may be conceived. On every side space was found for skirmishes, if not for long-drawn conflicts. When Quintus Metellus returned from Numidia, exasperated at his having been displaced by Marius, his opponents came first to the encounter. Accused on some

tions his serving before Numantia as an Eques, and he was then very young.

[4] He seems to have been the boon-companion of Scipio Africanus and Lælius "the Wise." See Hor., Sat., II., 1. 71 *et seq.*, with the Vet. Schol. thereupon.

[5] "Ense velut stricto quoties Lucilius ardens
Infremuit." Juv., *Sat.* I. 165.

[6] "Primores populi arripuit populumque tributim."
Hor., *Sat.* II. 1. 69.

[7] "Terriculas Lamias Fauni quas Pompiliique
Instituere Numæ, tremit has; hic omnia ponit,
Ut pueri infantes credunt signa omnia ahena
Vivere et esse homines, sic isti omnia ficta
Vera putant; credunt signis cor inesse in ahenis.
Pergula pictorum; veri nihil: omnia ficta."
Ap. Lactant., Div. Instit. I. 22.

On Lucilius, see a pleasant article by Ch. Labitte, Rev. des Deux Mondes, tom. XII. Nouv. Sér.

charge not now to be defined,[8] he was obliged to appear with his accounts before the appointed judges. They, happening to be of his party, at once refused to examine into the charges against him.[9] The Senate also bore down to his rescue. Instead of being condemned, he was authorized to take the name of Numidicus, and celebrate a triumph for the conquest of a country not yet subdued.

The division between the Knights and the Senators rendered the judicial powers of the former peculiarly irksome to the latter. At length the Senators determined to sweep the field by obtaining a restoration of the functions that had been transferred to their adversaries.[10] This was proposed in a bill brought up by the Consul, Servilius Cæpio.[11] To his support the Senate sent their most persuasive orator into the midst of the assembly. "Save us," cried Licinius Crassus to the higher Centurias, whose votes alone were worth his entreating, "save us from miseries. Save us from the jaws of men whose cruelty can never be satiated with our blood. Suffer us not to depend upon any one man or order, but rather upon your whole body, as we both can and ought to do."[12] The bill appears to have been carried; and Cæpio was rewarded by the Senate with the title of their Patron.[13]

[8] "Causa repetundarum." Val. Max., II. 10. 1. It is not known that the charge was brought against him for what he had done in Numidia.

[9] Val. Max., II. 10. 1. Cic., Pro Balbo, 5.

[10] So Tacit., Ann., XII. 60. Some writers, however, following Jul. Obsequens (Prodig. Lib., 101), consider the bill as having proposed a division of the judicial powers between the Senators and the Knights. It is all doubtful.

[11] The son of the Cæpio who murdered Viriathus. He was Consul in A. C. 106.

[12] Cic., De Orat., I. 52.

[13] Val. Max., VI. 9. 13.

Some years afterwards, when the Knights had regained their judicial authority, Cæpio was arraigned before them. In the interval, he had held the proconsulship in Gaul, where his exactions[14] and his defeats[15] furnished ample grounds for his prosecution.[16] The advocacy of his cause by the Senate was vain. Equally vain was the interposition of two Tribunes against their colleague employed as the prosecutor of Cæpio. Violence came to the aid of the accusing party; and the accused was condemned.[17]

There were times when the hope of better things revived. During the second consulship of Marius,[18] no less than three Tribunes appeared as the advocates of liberality and harmony. Domitius Ahenobarbus carried a bill committing the election of the priests to the people.[19] Cassius Longinus procured an enactment that no Senator should retain his rank, and no general his commission, after having been condemned for misconduct.[20] Marcius Philippus, declaring, as one stung by remorse, that there were not two thousand citizens in all who had any thing to call their own,[21] endeavored to revive the Agrarian law.

The impulses actuating the three Tribunes belied

[14] His plunder of Tolosa was one of the most extraordinary acts of pillage committed even in the Roman provinces. Dion Cass., Frag. XCVII. Justin., XXXII. 3.

[15] Liv., Epit. LXVII.

[16] His Imperium was already withdrawn, and his property confiscated. Liv., loc. cit.

[17] Cic., De Orat., II. 47. Val. Max., VI. 9. 13, IV. 7. 3. This was in A. C. 95.

[18] A. C. 104.

[19] Vell. Pat., II. 12. The attempt had been made before. The priestly colleges still preserved the form of coöptation, as it was called.

[20] Cic., Pro C. Corn., Frag. I. with Asconius's Commentary.

[21] Cic., De Off., II. 21.

the promise of their measures. Domitius desired to secure his own election to the pontificate.[22] Cassius wished to satisfy a grudge against Cæpio, just then disgraced on account of his proconsulship. Marcius Philippus had brought forward his agrarian projects as the means of enlarging his influence. He dropped them as soon as he found them to have a contrary tendency.

Amongst the Quæstors of the same year was Lucius Appuleius Saturninus. He was a partisan of the aristocracy, to which he belonged by birth. But though highly endowed, sensitive, and eloquent,[23] he had spent his youth in the luxuriousness common to his rank and age. While holding the quæstorship at Ostia, a post of much importance in relation to the public supplies of grain, Saturninus was ejected from his office by the Senate.[24] He instantly went over to the popular faction.[25] Whatever he had been amongst his former associates, he proved a fiery leader to his present ones. He was soon elected Tribune.[26]

Thereupon, the aristocracy took its precautions. On one ground or another, Saturninus was marked for expulsion from the Senate by the Censor Metellus Numidicus.[27] The other Censor interfered. But the temper of the party to which Metellus belonged had been proved. Nor would Saturninus throw

[22] Liv., Epit. LXVII. Val. Max., VI. 5. 5.

[23] "Seditiosorum omnium post Gracchos L. App. Saturninus eloquentissimus visus est." Cic., Brut., 62.

[24] Diod. Sic., Reliq., XXXVI. 12.

[25] "Per ignominiam," . . . . as Cicero describes him, "scimus dolore factum esse popularem." Pro Sext., 17. De Harusp. Resp., 20.

[26] For A. C., 102. Diod. Sic., Reliq., XXXVI. 12.

[27] Oros., V. 17.

away the warning. From that time he was the avowed projector of what his adversaries would call sedition.

The year after, he came forward as a candidate for reëlection to the tribunate. He was straightway arraigned for having outraged certain ambassadors who came with bribes to the Senate.[28] The violent demonstrations of his followers procured his acquittal. But his election was lost.

Instead of being cast down, he resolved upon more audacious movements. One of the Tribunes elect was murdered. In his room, Saturninus, the murderer, or the leader of the murderers,[29] was proclaimed by the Tribes. Servilius Glaucia, a designing and a reckless member of the same faction with Saturninus,[30] was already appointed Prætor. At the same time, Caius Marius was elected, not without bribes,[31] to his sixth consulship.[32]

The Consul, the Prætor, and the Tribune[33] were soon banded together against the aristocracy. The repose to which Marius had surrendered himself, after his return from the wars, had been but temporary. He was always for carrying matters with much too high a hand not to be involved in continual broils. When, for instance, he wished to re-

[28] From Mithridates. Diod. Sic., Reliq., xxxvi. 15.

[29] Cf. Plut., Mar., 29, with App., Bell. Civ., i. 28.

[30] "Longe autem post natos homines improbissimus C. Serv. Glaucia, sed peracutus et callidus." Cic., Brut., 62.

[31] Rutilius, ap. Plut., Mar., 28. A trustworthy authority, if the story of his trial (Cic., De Orat., i. 53; Val. Max., ii. 10. 5; and Vell. Pat., ii. 13) be true.

[32] All for the year A. C. 100.

[33] Saturninus, from the time of his first tribuneship, had been amongst the partisans of Marius. Plut., Mar., 14.

quite the inhabitants of Camerinum, a town in Umbria, for their services during the recent invasion, he declared them citizens on his own responsibility. Of course, he was called to account. But he answered nothing more than that he had not heard the law amid the din of arms.[34] Such a Consul was as ready as Glaucia the Prætor, or Saturninus the Tribune, for sedition.

Saturninus immediately preferred a bill to divide the lands lately gained in Gaul amongst the victorious soldiery. Marius was designated as the commissioner to execute the proposed measures, with the unusual privilege of bestowing citizenship upon three individuals in every colony that should be formed.[35] To the bill a further clause was attached, exacting the adherence of the Senate within five days, under penalty of fine and degradation.[36]

The Tribes met to vote upon the bill. "It thunders," declared the opposing faction, trusting to disperse the assembly by the evil omen. "It shall hail," cried Saturninus, "if ye be not silent!"[37] There then broke out a riot, in which the bill was passed. Marius, after declaring that he would never adhere to the law, was the first to take the oath of adhesion. Metellus Numidicus, the old enemy of both Marius and Saturninus, had made the same declaration. But he kept it. He was consequently forced to go into exile.[38]

[34] Plut., Mar., 28. So Val. Maximus, who adds (v. 2. 8): — "Et sane in tempus tunc erat quo magis defendere quam audire leges oportebat." Cf. Cic., Pro Balb., 20.

[35] Cic., Pro Balb., 21.

[36] App., Bell. Civ., I. 29. De Vir. Ill., LXXIII.

[37] De Vir. Ill., LXXIII.

[38] App., Bell. Civ., I. 30, 31.

Saturninus went on to renew the law of Caius Gracchus, concerning the distribution of grain at a low price.[39] He also united with Servilius Glaucia in promoting the bills brought forward by the Prætor against bribery and corruption. The main object of the measures may have been the reëstablishment of the Knights in the exclusive possession of the judicial authority.[40] The leaders of the sedition were beginning to feel the want of followers.

Suddenly, as it appears, Marius withdrew himself from his confederates. Perhaps they were becoming too conciliatory to suit one of his pugnacious temperament. Perhaps his lingering patriotism was offended by the audacious selfishness with which Saturninus and Glaucia were exalting themselves. It may be that he was dissatisfied with their want of devotion to his own service.

Two years before, in the first tribunate of Saturninus, an attempt had been made to pass off a runaway slave,[41] by name Equitius, as the son of Tiberius Gracchus. Denied by Sempronia, the still surviving sister of Tiberius,[42] as well as by the Censors,[43] on whose acknowledgment his registry as

Plut., Mar., 29. He was soon recalled. Plut., Mar., 31. App., Bell. Civ., I. 33.

[39] Cic. (if the work be his), Ad Herenn., I. 12.

[40] Cic., Pro Balbo, 23, 24; In Verr. Act. II., I. 9. Servilius Glaucia is supposed to have repealed the law of Servilius Cæpio restoring the judicial authority to the Senate. Yet it appears impossible to draw any exact inference from the only reliable passage to be adduced, viz., that in Cic., Brut., 62. For this is just as susceptible of being applied to the laws against bribery merely, as to any judicial reforms. There is no doubt, however, but that the law of Cæpio, if it really ordered the selection of judges to be made from the Senate, was very soon afterwards repealed.

[41] "Ex compedibus atque ergastulo." Cic., Pro C. Rabir., 7.

[42] De Vir. Ill., LXXIII.

[43] Or Metellus Numidicus alone. He was stoned for his refusal. Val. Max., IX. 7. 2.

a citizen depended, the impostor had shown sufficient spirit to deceive the people. He was now brought forward by Saturninus to stand by him in the canvass for a new term of the tribuneship. On the reappearance of the pretender, he was ordered by Marius to prison. But the mob broke into the place of confinement, and bore away the false Gracchus to be elected Tribune with Saturninus.[44] Servilius Glaucia, then aiming at the consulship, was less successful. But he was not the less determined. Supported by Saturninus, he caused one of his competitors, Caius Memmius, to be put to death in presence of those who had dared to prefer him as their Consul.[45]

It seemed as if sedition were triumphant. The Forum was ringing with the shouts of the triumphant faction. Many were hailing Saturninus as their king.[46] But the Senate was already engaged in decisive movements against the seditious leaders. Caius Marius, implicated with them as he had been, was so estranged from them as to be a safe champion for the Senate to choose. He was accordingly invested with absolute authority to save the Commonwealth.[47]

This took some time. Before it was done, at all events before Marius assumed the lead on the side of the Senate, the combatants on the other side were driven from the Forum. On their taking re-

[44] Val. Max., IX. 7. 1.

[45] App., Bell. Civ., I. 32. Liv., Epit. LXIX.

[46] Flor., III. 16.

[47] "Ex Senatus consulto." De Vir. Ill., LXVII., LXXIII. See Cic., Pro Rab., 7 – 11.

fuge in the Capitol, the pipes conveying water to the hill were instantly cut off by their pursuers. Meantime, the slaves had been vainly called to arms by Saturninus.[48] His cause was desperate, and he surrendered, with all his party save Glaucia. He, endeavoring to escape by himself, was killed. Saturninus and the rest were carried to the Senate-house. There they were presently slain by tiles and weapons hurled down upon them through the roof, broken in by their infuriated pursuers.[49] The slave accredited to have been the murderer of Saturninus was rewarded with his freedom.[50]

Caius Marius shared in the opprobrium that fell on his former associates.[51] For a time he was obliged to absent himself. But he returned as the day of darker trials than sedition drew nigh.

[48] Val. Max., VIII. 6. 2.
[49] Flor., III. 16. App., Bell. Civ., I. 32. Liv., Epit. LXIX.
[50] Cic., Pro Rab., 11.
[51] Plut., Mar., 30. App., Bell. Civ., I. 32. Cf. Val. Max., VIII. 6. 2. Vell. Pat., II. 12.

CHAPTER V.

SERVILE WARS.

"Siciliam multo cruentius Servili quam Punico bello esse vastatam."

FLORUS, III. 19.

WHATEVER party triumphed amid the sedition and the corruption of Rome, there was the same effect upon the liberty of its people. The factions into which they had separated were contending each for dominion. Neither, therefore, could prevail without diminishing the freedom of the faction which succumbed.

But these were not the only struggles of the period. While the Romans were striving after the mastery amongst themselves, their subjects, here and there, were aiming at independence. The lowest according to the Roman scale were the first to attempt to rise. More numerous than ever since the recent conquests,[1] more burdened than ever since the recent corruptions of their masters, the slaves were driven at length into open insurrections.

There could be no such thing as a general rising amongst the slaves. The freemen of Rome were

[1] See Blair's interesting Inquiry into the State of Slavery amongst the Romans, pp. 19 *et seq.*

not more divided than the bondmen. Such as had been born to slavery regarded their lot with very different feelings from those of the captured or the purchased slave. The slave by purchase seldom had much desire for freedom, or much sense of humiliation. He was degraded before being enslaved. But the captive took another view of the bondage into which he had fallen. Shame was mingled with a longing for deliverance proportionate to the independence once belonging to him and to his countrymen. So, too, the slaves were divided according to their lords. Some served the Roman, others the Italian, others still the provincial. Between one of these sets and another there were as great distinctions as between their masters. The bondman of the ruler would look down upon the bondman of the subject. Nor were these divisions the only ones. But they suffice to show the impossibility of any united effort to right themselves on the part of the slaves.

This being premised, we can appreciate the separate exertions that were made amongst the bondmen of the times.

Many years had passed since the slaves of Rome or of Italy had bestirred themselves. All that they had ever done, as it appears, was to join the standard of some insurgent citizen or subject by whose offers of freedom they were naturally tempted. Sometimes it was to get possession of the towns or territories where they were quartered that they took up arms.[2] Sometimes it was to storm the capi-

[2] As in the instance related in vol. II. p. 21. Later instances occur in Liv., XXXIII. 36; XXXIX. 29.

tal.[3] The failure of these attempts, and especially of the last that had been made, left little desire or ability of renewing them. The slaves composed themselves to subjection throughout Italy.

It was not so throughout the provinces. While many spent their lives in careless or despairing submission, others were watching their opportunities for liberation. It so happened that the very class of all others which seemed the most suited to resignation under the yoke set the example of wide-spread rebellion.

Sicily was crowded with slaves purchased from countries where oppression reigned. The Romans, profiting by the conquest of that island, had committed the cultivation of their estates to bondmen, whom it was their interest to multiply as rapidly as they could. The greater the number of slaves, husbandmen or shepherds, the greater the income from the lands occupied by their masters. Nowhere was the increase of slaves more remarkable. Nowhere was the treatment of the slaves more cruel. Many were so unprovided with food or clothing as to be obliged to depend upon what they could obtain for themselves by robbery and murder. To this course the masters gave entire assent. A proprietor of Enna, by name Damophilus, was entreated by his naked bondmen to furnish them with clothes. "Well," he replied, "do they who travel through the country go bare, that ye cannot clothe yourselves with their garments?" Whereupon, he ordered the

[3] As in the instance related in vol. I. p. 248. Later instances occur in Liv., XXII. 33; XXXII. 26.

suppliants to be bound and scourged.[4] To such an extent proceeded the violence of the slaves, thus goaded by their owners, that one, says the historian, would have supposed the island overrun by armies of freebooters.[5] It soon appeared how dangerous a training was this to give to the slaves. Neglected by their masters, yet allowed to redress themselves, they were animated to higher enterprises. If they armed themselves, they thought it should be for nobler deeds. It should be for nobler ends.

Amongst the slaves at Enna was Eunus, by birth a Syrian. The Romans would have made him out to be fraudulent and brutal. He makes himself out a man of very different character. So unlike was he to most of his brethren in bondage that they trusted to him as to one in favor with the gods. Believing himself to have the gift of prophecy, he, like other seers of antiquity, dabbled in signs and wonders. The goddess of his race, as he declared, appeared to him with the promise that he should one day reign. Nor was the vision disputed by those to whom it was related. While it added to the reverence with which Eunus was regarded by his fellow-bondmen, it appears to have made an impression even upon his master. There was a show of laughing away the pretensions of the slave. But they were not scouted as those of an ordinary bondman.[6]

To him the slaves of Damophilus, the proprietor already mentioned, repaired for counsel in their af-

[4] Diod. Sic., Reliq., XXXIV–V. 2. 38.

[5] Diod. Sic., as before, 2.

[6] Diod. Sic., as before, 5 *et seq.*

flictions. "Will the gods," they asked, "bear with us, if we kill our master?" "They will," answered Eunus. "And I," he added, "will be your leader." Four hundred, taking arms, made themselves masters of Enna. The outrages upon the inhabitants were such as men, themselves long outraged, would inflict in achieving their revenge. While the streets of the city ran blood, Eunus, in fulfilment of his prediction, was declared king. He suffered the work of butchery to continue. Such only, he ordered, as can make arms for us, are to be left alive.

Yet across the angry sky there were flashes of humanity. The master of Eunus was slain. But they who had treated the slave with ever so little kindness were saved.[7] While Damophilus and his wife fell a sacrifice to their infuriated slaves, their daughter was spared. She had been merciful to the bondman in his misery. He was faithful to her in his triumph. A chosen band was selected by the insurgents to conduct the maiden in safety to her kinsmen at Catana.[8]

Meantime Eunus had assumed the title of Antiochus, a name renowned amongst all Syrians. Suitable men were appointed his counsellors, amongst whom a Greek named Achæus appears to have held the foremost rank.[9] The number of the insurgents increased within three days to six thousand, exclusive of a multitude unprovided with any but the rudest weapons. What they aimed at be-

[7] Diod. Sic., as before, 41.
[8] Diod. Sic., as before, 39.
[9] His accession seems to have been regarded as quite an important matter. Diod. Sic., as before, 42.

yond deliverance and vengeance cannot be told. But it was no appetite merely for slaughter or for spoils that they sought to satisfy. They turned from forays and massacres to open the dungeons where their brother-slaves were lying. Nor was it freedom merely from chains or from toils that they desired. They marched to meet the troops of Rome. Again and again they were victorious. So opened the Servile war.[10]

It spread rapidly. At Agrigentum, a Cilician, named Cleon, took the lead of the insurgents. They were completely successful. All the hope remaining to the affrighted Sicilians consisted in the anticipated divisions amongst the slaves. It did not seem possible that Cleon would submit to Eunus, or that Eunus would give way to Cleon. But the leaders were of worthier degree than their adversaries allowed. No sooner was Cleon summoned by Eunus than he obeyed, as if the man, says the historian, had been his king. With him came five thousand followers. The whole number, in arms with Eunus, was twenty thousand. This was soon increased by victory to two hundred thousand.

The effect of the war in Sicily told upon other portions of the Roman realms.[11] At Rome itself, a conspiracy was hatched amongst some hundred slaves. A larger number at Minturnæ, and several thousand at Sinuessa were on the move to liberate themselves when the authorities interfered. The

[10] A. C. 134. Diod. Sic., as before, 16.

[11] "Contagio ista," as Cicero says, "servilis belli." In Verr. Act. II., v. 3.

wave of insurrection rolled on to Greece and beyond the islands of the Ægean to the Asian shore.[12]

The alarm was general. But it was most keenly felt in Rome. The most rigorous measures were adopted to maintain order in the city and throughout the provinces. One of the Consuls was despatched to conduct the war in Sicily.[13] But the apprehensions of the Romans were far from being immediately allayed.

The war in Sicily had now been raging for upwards of a year. A second Consul was sent to take command of the Roman troops whose losses were beginning to be repaired. But not until a third Consul had reached the scene of action, in the third year of the war, could the Romans boast of any great successes. The slaves were not the only ones at that time engaged in the insurrection. They had been joined or aided by large numbers of the lower orders amongst the Sicilians.[14] But the whole weight of the Roman forces was brought to bear upon the insurgents, and they sank. Cleon was mortally wounded in a sally from Enna. Eunus, after escaping with six hundred followers, was finally apprehended with but four in his train. He died in prison, leaving a memory that was only vilified by the foes whom he had braved for three heroic years.[15] The Consul refused a triumph on

[12] Diod. Sic., Reliq., XXXIV-V. 2. 26.

[13] "Quum opprimi a prætoribus non potuisset, C. Fulvio Consuli mandatum est." Liv., Epit. LVI.

[14] Diod. Sic., Reliq., XXXIV.-V. 2. 48.

[15] A. C. 134-132. Τὸν ἄρξαντα τοῦ δουλικοῦ πολέμου — "The head and front of the war." Plut., Sull., 36. Diod. Sic., Reliq., XXXIV.-V. 2, 21-23.

his return to Rome. It was too great an honor, he averred, for the suppression of a Servile war.[16]

It was in the midst of the agitation excited by the war that Tiberius Gracchus labored through his tribuneship and died. The spirit of his countrymen towards their rising slaves may be inferred from the silence which he kept concerning them. He had promises for the Romans, sympathies for the Italians and the provincials who were suffering. But for the maddened slaves, Tiberius Gracchus showed neither sympathy nor promise.

Unquietness continued amongst the slaves in Italy. One outbreak occurred at Nuceria. Another took place at Capua. A third, the most serious of all, was led by a Roman Knight, driven to desperation in consequence of his passions and pecuniary difficulties. All which, as the chronicler remarks, served as preludes to the more formidable insurrection in Sicily.[17]

This was a second Servile war. Thirty years since the first had passed, when the Senate issued the edict already mentioned concerning the emancipation of slaves belonging to any allied state. It was so zealously executed by Licinius Nerva, then the Sicilian Prætor, that a few days witnessed the liberation of above eight hundred bondmen. But here the good work ceased. The masters caught the alarm, not merely because they were unwilling to part with the slaves whom they had purchased from allied countries, but because they dreaded the insur-

[16] Flor., III. 19. [17] Diod. Sic., Reliq., XXXVI. 2.

rection of those obtained from other sources. The Prætor was persuaded or bribed to desist from the undertaking which he had begun. Instead of liberating the slaves fast thronging about his tribunal, he contumeliously ordered them back to their chains. They took to their arms.[18]

The first to rise were the first to fall. But others rose, and, increasing to upwards of twenty thousand strong, defeated the Roman army near Morgantina. With clemency more striking than their courage, the victors spared all who sought for quarter.[19]

The leader of the insurgents was a slave named Salvius. As if to account for his moderation, the Romans described him as nothing better than a flute-player and a pretended diviner. His followers, declaring him their king, judged him more justly. He led them away from the cities, where "indolence and luxury," as he said, lay in wait for them, to brave the trials of the foray, the battle, and the siege. His military system was remarkable. Equally so was his civil system, if such it may be styled. Taking a name of note in the East, Tryphon, and establishing himself in the strong-hold of Triocala, he undertook to concentrate the resources of the insurgents.

Another leader had appeared, in the person of Athenion, a Cilician. He, too, assumed the royal title, with the declaration that he would soon be king of all Sicily.[20] Him Tryphon sent for, and imprisoned on his arrival. The followers of the cap-

[18] A. C. 103. Diod. Sic., Reliq., xxxvi. 3.

[19] Id., ib., 3, 4.

[20] Id., ib., 5.

tive readily yielded. Tryphon then addressed himself to the fortification of his strong-hold and the organization of his government. All that could make a monarch powerful or a people contented in the circumstances, appears to have been tried and carried out by the insurgent king.[21] The very freemen of Sicily joined his forces; some indeed, for purposes of rapine, but others, doubtless, for purposes of security.[22]

A new Prætor took command of the Romans. The insurgents were presently defeated, but without any decisive consequences. Soon afterwards Tryphon died. Athenion, already liberated and trusted, was declared the successor of the deceased king. He held out for more than a year against two successive commanders from Rome. But the second of the two, Manius Aquillius, a colleague of Caius Marius, succeeded in crushing the insurrection. Athenion fell in conflict with Aquillius. The surviving followers were transported to Rome, in order to fight with beasts in the public amphitheatre. Instead of contending as they were bid, they slew one another before the eyes of their foes.[23]

Thus ended the second of the Servile wars. It had lasted four years.[24] Nor did the flood subside immediately upon the closing of its sources. The leaders and the followers lay in death. But their memory remained to buoy up others to resistance against oppression. It was found necessary to forbid the slaves of Sicily to carry arms.[25]

[21] Diod. Sic., Reliq., xxxvi. 7.
[22] Id., ib., 6, 11.
[23] Id., ib., 11.
[24] A. C. 103–99.
[25] Cic., In Verr. Act. ii., v. 3.

Neither did the Romans lose their impressions concerning the Servile wars. No contest in which they had ever engaged seems to have struck them with the same shame or the same foreboding. Nothing could have been regarded as more threatening to their freedom than the triumph or even the revolt of their bondmen. To share their liberty with others, so long as it was the liberty of rulers, was equivalent to losing it. They could never have felt this more strongly than through the Servile wars.

CHAPTER VI.

THE ITALIAN WAR.

"The causes of dissension . . . . were infinite and unavoidable. . . . . Rapine, outrage, murder, exactions, became universal. Commerce was interrupted; industry suspended; and every part of Germany resembled a country which an enemy had plundered and left desolate. The variety of expedients employed with a view to restore order and tranquillity, prove that the grievances occasioned by this state of anarchy had grown intolerable.

ROBERTSON, *Charles V., View of Society in Europe*, sect. III.

ANOTHER war was at hand. Another class of subjects were preparing to arm themselves for independence. And again the Romans stood ready to refuse a division of their liberty.

The privileges of a former period no longer sufficed to the Italians. They had forgotten the defeat of their fathers amidst the conquests which they themselves, in concert with the Romans, had achieved. They were rulers in relation to the inhabitants of the provinces. But they were subjects in relation to the citizens of Rome. They, too, would be citizens.[1] Such as were lower in rank or in fortune would have their share in the bounties and the fes-

[1] Τούτου γὰρ δὴ μάλιστα ἐπεθύμουν, ὡς ἐνὶ τῷδε αὐτίκα ἡγεμόνες ἀντὶ ὑπηκόων ἐσόμενοι, "For this it was that they especially desired, to become through citizenship the rulers, instead of remaining the subjects of the Commonwealth." App., Bell. Civ., I. 35.

tivals of the metropolis. Such as were higher would have their part in its spoils and its glories.

Five years had elapsed since the tribuneship of Saturninus,[2] when the Consuls Licinius Crassus and Mucius Scævola put forth a law by which a large number of Italian citizens were disfranchised.[3] A measure like this, "not only useless," as Cicero wrote, "but pernicious,"[4] increased the heart-burnings already rife throughout Italy.

Four years afterwards,[5] Marcus Livius Drusus, the son of the colleague and opponent of Caius Gracchus, entered upon the tribuneship. He had been on the side of the Senate during the sedition of his predecessor Saturninus. Something, nevertheless, had been whispered of his partiality towards the Italians, to whose great delight, apparently, he was declared Tribune. It seemed as if all parties claimed him for their own.[6]

He, in return, appears to have asserted his ability to satisfy them all. To the Italians he first promised his intervention in behalf of their long-deferred demands.[7] For the poorer class through Italy and at Rome, he proposed the distribution of lands and grain, together with the establishment of Italian and Sicilian colonies.[8] Then, turning to the Sena-

[2] A. C. 95.

[3] The law, described in Cic., De Off., III. 11, is more tersely designated as "acerrima de civitate quæstio," in the oration Pro Balbo, 21. See, also, the fragment in Pro C. Corn., I., with Asconius's Commentary.

[4] "Legem . . . . video constare inter omnes non modo inutilem sed perniciosam reipublicæ fuisse." Pro C. Corn., I. See Pro Sext., 13.

[5] A. C. 91.

[6] "Non tribunatus modo viribus, sed ipsius etiam senatus auctoritate, totiusque Italiæ consensu." Flor., III. 17.

[7] Liv., Epit. LXXI.

[8] Id., ib. App., Bell. Civ., I. 35. Another law, perhaps to please the

tors and the Knights, still quarrelling for the judicial tribunals, the Tribune waved his wand, and bade them mark how he would transform three hundred Knights into so many Senators, and from the united body call forth the judges of the Commonwealth.[9] "I have left nothing," he exclaimed, as if apostrophizing himself, "nothing but the dust of the earth or the sky overhead to be given away!"[10]

But it was more than the liberality, much more than the presumption of Drusus could achieve, to bring harmony into the midst of his discordant countrymen. His own smiles were soon exchanged for frowns. He threatened to hurl his brother-in-law from the Tarpeian rock.[11] He ordered one of the Consuls into custody.[12] Offended by the Senators, who had supported him as their champion,[13] he returned word, on being summoned to consult with them, that they must come to him.[14]

This ineffable arrogance proved disastrous. An act of the Senate repealed his laws at one swoop,[15] without the regret of a single party at Rome for their untimely end. There was little in them to

people, concerned the adulteration of the silver currency. Plin., Nat. Hist., XXXIII. 13.

[9] All this is uncertain. Drusus seems to have intended only to fill up the Senate for the nonce from the Knights, and to leave the judicial powers entirely with the Senators. See App., Bell. Civ., I. 35; Cic., Pro Rab. Post., 7; Liv., Epit. LXX. The law, at all events, passed. Liv., Epit. LXXI.

[10] Flor., III., 17. De Vir. Ill., LXVI.

[11] De Vir. Ill., LXVI.

[12] The story of the Consul's altercation with the Senate and of the Tribune's attack upon the Consul may be read in Cic., De Orat., III. 1, 2; Flor., III. 17.

[13] Liv., Epit. LXX., LXXI. Tacit., Ann., III. 27. Cic., De Orat., I. 7.

[14] Val. Max., IX. 5. 2.

[15] "Uno versiculo." Cic., De Legg., II. 6. Id., ib, 12, and Pro C. Corn., I.

make the Italians lament their repeal. Yet it was to the Italians that he turned, it was by them that he was sustained, amid the indifference and the desertion of the Romans.[16]

A league had already been formed amongst the Italian leaders. Of this, Drusus was now chosen the patron. Each of the confederates then took the vow of fidelity to him. "I swear," declared the Italians, one by one, "to have the same friends and the same foes with Drusus, and to spare neither my own life nor that of my children or my parents in his service and for the good of my associates. And if I become a citizen by the law of Drusus, I swear to hold to Rome as my country and to Drusus as my greatest benefactor. And I will communicate this oath to as many of my companions as I can."[17] The oath was followed up by energetic action. Secret meetings were convened by night. Armed crowds were assembled by day. Though the leaders of the association concealed their plans, their followers were trustful and determined. The city seemed, says the historian, to be besieged.[18]

But when Drusus appeared before the Tribes, perhaps with the intent of urging the admission of the Italians, he was received with such an outcry of indignation that he lost his courage and fainted dead away. After a short retirement, caused, as some said, by fear, rather, as is probable, by actual

[16] Vell. Pat., II. 14. Diod. Sic., Reliq., XXXVII. 10.

[17] Diod. Sic., Reliq., XXXVII. 11.

[18] Flor., III. 17.

illness in consequence of over-excitement, he came forth again. Weary as he was of the enterprise,[19] he was surrounded by his Italians,[20] who would allow him no rest until he should have carried their enfranchisement. The accounts of what followed vary. But it would appear that, while Drusus hindered his adherents from committing any bloodshed,[21] he was himself the victim of assassins amongst his opponents. Stabbed at his house, he fell, murmuring that the Commonwealth could not hope for another citizen like him.[22] Few Romans grieved for his death or thought it premature.[23] The Italians mourned him. They prepared to avenge him.

Drusus was scarcely cold, when one of the succeeding Tribunes, named Quintus Varius,[24] came forward with a bill directed against all citizens who had secretly or openly favored the hopes of the Italians.[25] The design of the bill and of the party to which it gave voice was not so much to put down the Italians, already appearing to be subdued, as to humble the Senators who had sided with Livius Drusus through the first movements of his tribunate. On the interposition of certain Tribunes, a band of Knights with drawn swords broke into the assembly, through which they easily forced the bill.

[19] See the story told by Seneca, De Brev. Vit., 6.

[20] Vell. Pat., II. 14.

[21] De Vir. Ill., LXVI. App., Bell. Civ., I. 36.

[22] "Vir sanctissimus," says Velleius Paterculus, II. 13. On the other hand, see De Vir. Ill., LXVI.

[23] "Matura ut in tali discrimine mors abstulit." Flor., III. 17. Seneca (Ad Marc. Consol., 16) speaks of his mother's bearing his loss "with magnanimity."

[24] Further named Hybrida, being born of a Spanish mother. "Vastus homo atque fœdus," says Cicero of him, De Orat., I. 25.

[25] App., Bell. Civ., I. 37; with which compare Val. Max., VIII. 6. 4.

As soon as it was passed, several of the most eminent Senators were summoned to take their trial before judges picked from their adversaries the Knights.[26] The chill cast upon the cause of the Italians was tempered by the insight which they obtained into the dissensions amongst the Romans.

Amongst the most gallant of the Italian leaders was Pompædius Silo, a Marsian. Such was his familiarity with Livius Drusus that he had been received as an inmate of the Tribune's household. One day Silo came in with some friends to a room where the two nephews of his host, boys of from four to six years old, were sitting or playing together alone. Instead of joining in their game or entering into their prattle with each other, the Marsian, fresh, perhaps, from some conference in which his leader had very likely disappointed him, appealed to the boys, more solemnly than sportively:— "Say, now, that ye will entreat your uncle to have us made free citizens!" The elder smiled and nodded assent. But the younger kept his peace, though asked a second time. Pompædius then took him up as if to throw him from the window. But the child would make no promise of the assistance which the Italian pretended to desire. Setting down the boy, Silo remarked to the friends who had beheld the scene, how well it was for them that the little hero was still so young.[27] This boy, stern and fearless beyond his years, was Porcius Cato. His behavior is a strong instance of the Ro-

[26] App., Bell. Civ., I. 37.

[27] Val. Max., III. 1. 2. The whole story is told by Plutarch in his life of Cato, 2.

man determination to keep the Italians in subjection.

But there was an Italian determination on the other side. From the day when Drusus was murdered, the league of which he had been the chief had received large accessions. Despite divisions of race, despite divisions of party, there seemed to be hopes of a national confederacy amongst the Italians.[28] Even the Latins, or, as the historian may have rather intended, the whole Latin Name,[29] more privileged in many respects than the majority of the confederates, entered into the league. So widely did it extend itself that scarce a town of the lowlands or a hamlet upon the mountains but was embraced within its bonds. The Marsians, — their neighbors, the Pelignians, Frentanians, Marrucinians, and Vestinians, — northwards, the Picentians, — southwards, the Samnites, most eager of all to avenge the calamities of their forefathers, — farther on, the Apulians and Lucanians, — all these and more[30] united. Sad, however, was the distrust that compelled the confederate states to begin their enterprise by furnishing one another with hostages.

Some information concerning a youth surrendered as a hostage by the town of Asculum reached the ears of the Roman Proconsul. Hasty and imperious, he demanded an explanation. Whereat he and all the Romans of the town were put to death.[31] The news reached the Romans in the midst of

[28] App., Bell. Civ., I. 38.

[29] "Omne Latium." Flor., III. 18. But this is evidently an exaggeration.

[30] Liv., Epit. LXXII. App., Bell. Civ., I. 39.

[31] App., Bell. Civ., I. 38.

their usual controversies. Had the earth swallowed the seven hills, had the Tiber swept the city down its swollen stream, the surprise would hardly have been more terrible. On the other hand, the league, with one bound, was up in arms. The massacre at Asculum, everywhere reported in frenzy, was the signal to the Italians that the hour of their deliverance had sounded.[32]

A town in the mountain country of the Peligni ans was selected for the capital of the league, and called by a new name, Italica.[33] It was not difficult to raise or equip an army. No hut was so poor as to be without its weapon. The richer men, whose interests were most at stake, had undoubtedly begun to collect a stock of arms some years or months before. Neither they nor their retainers would now be backward to join the companies mustering in the name of Italy. The more hazardous operation was to form some common government; but this, too, was rapidly achieved. A Senate of five hundred members from the various states met at Italica to preside over the administration of general affairs, leaving each district or town, as is probable, in full control of its separate concerns.[34] Out of the Senate, apparently, or by its votes, two Consuls or Prætors, together with twelve Lieutenants or Sub-Prætors, were chosen to conduct the forces, the allied territory being por-

[32] "Malum ab Asculanis ortum." Vell. Pat., II. 15. So App., Bell. Civ., I. 39.

[33] Strabo, v. 4. 2. It was previously and afterwards called Corfinium.

[34] See the spirited "Essai" of Prosper Mérimée "sur la Guerre Sociale," tom. I. p. 139.

tioned out in two military divisions, one under each of the Prætors.[35] Pompædius Silo and Papius Mutilus, a Samnite, being elected to the chief authority, assumed the command of their respective divisions without delay. With so much vigor did they urge the necessary preparations, that one hundred thousand troops were soon collected, besides the garrisons in charge of the different cities.[36] A Senate-house and other public buildings were as speedily erected about a forum at Italica.[37] The league was no longer a conspiracy, but a national war.[38]

Meanwhile, the factions at Rome were recovering from their first alarm, and uniting themselves against their daring allies. The charge of the impending campaigns was necessarily given to the newly-elected Consuls, Lucius Julius Cæsar and Rutilius Lupus. But as neither the one nor the other was any match for the fiery foes to be encountered, their lieutenants were chosen with peculiar care from amongst the ablest and the most zealous citizens. Marius and Pompeius Strabo served with others under Rutilius Lupus. Cornelius Sulla, of whose character we shall soon hear but too much, was amongst the number attached to Julius Cæsar.[39] The entire people turned out to bear every man his part.[40] In addition, the Italians, not engaged in the league, were all impressed into the Roman service, while deficiencies in forces or supplies

[35] Diod. Sic., Reliq., xxxvii. 2.
[36] App., Bell. Civ., i. 39.
[37] Diod. Sic., Reliq., xxxvii. 2.
[38] A. C. 90.
[39] App., Bell. Civ., i. 40.
[40] "Saga populus sumpsit." Liv., Epit. lxxii.

were quickly repaired by exactions from the provinces.[41]

An embassy from Italica to propose the complaints and the resolutions of the leaguers was not even heard. "If the allies repent of their deeds," was the answer of the Senate to the application for an audience, "they may send us ambassadors: otherwise not."[42] The people would have made the same reply, had the embassy addressed itself to the Tribes or even to the lowest populace. For all were of one mind in scorning the pretensions of the Italians.

The men who had fought side by side against the stranger beyond the sea were now arrayed against one another, almost in sight of Rome. The war was called the Social, or that of the Allies. In reality, it was a civil war.[43] To relate in full the deeds of blood on either side might be contributing to the history of madness. It would add nothing to the history of liberty. Yet we must pause long enough to see how these combatants fought for freedom, on the one side, and, on the other, for dominion.

As the first year of the contest was closing, a large body of Italians, commanded by Vettius Scato, one of their most noted generals, marched northwards to gather some reënforcements in Etruria.[44] Disappointed in their expectations, in consequence of the adhesion of the Etruscans to the cause of

[41] Liv., Epit. LXXII.

[42] App., Bell. Civ., I. 39.

[43] "Sociale bellum vocetur licet," says Florus (III. 18), "ut extenuemus invidiam: si verum tamen volumus, illud civile bellum fuit."

[44] App., Bell. Civ., I. 50.

Rome, the allies turned into Picenum, where their forces were most numerous at that time. Across their line of march there lay a Roman army of seventy thousand men, under the command of Pompeius Strabo, then at the beginning of his consulship. But the Italians were nearly as strong in numbers,[45] and the eagerness of Vettius Scato to engage in battle, whetted by the endeavors of Pompeius to make some truce or terms of peace, was shared by every soldier of his army. Notwithstanding, the spirit of the Italians failed them in the midst of slaughter; and after their best men were stretched upon the field, the rest fled, disheartened and disordered, amongst the mountains.[46] It was midwinter, when snow, and cold, and want of food would harass the pursuers as well as the pursued. But the Roman legions pressed forward, and at length overtook their wretched foes. Motionless they stood, as though determined to break through the lines of the enemy or else to surrender themselves in the extremity of despair. Some were seen, as the Romans advanced, to be lying on the ground. Others stood firm, leaning upon their arms.[47] Yet, as the pursuing party came up, none stirred to keep them off or to beg for mercy. For they were dead, all frozen stiff, as they had fled homeward. Vettius Scato, their leader, taken prisoner either in combat or in flight, was dragged by his captor before the Roman

[45] "Amplius LX. Italicorum." Vell. Pat., II. 21.

[46] Oros., V. 18. App., Bell. Civ., I. 50.

[47] "In modum viventium." Oros., V. 18.

general. But a slave who had hurried with him drew out the soldier's sword, either at Scato's bidding or by his own impulse, and having stabbed his lord dead, slew himself, exulting that he had set his master free.[48]

Was dominion to be retained by means like these? Would not its subjects be exterminated? Or was freedom thus to be won?[49] Would not its possessors be annihilated?

The Roman Consuls, confident in themselves, but with little judgment concerning the valor of the allies, took the field only to be defeated. Rutilius Lupus was routed and slain by the forces under Vettius Scato; and had it not been for Marius, who succeeded to the command, the broken army would have been entirely destroyed. Julius Cæsar, the other Consul, was several times worsted; but by persevering spirit and the constancy of his troops he gained at last a victory.[50] This, together with one obtained by Marius over the Marsians,[51] and another achieved by Porcius Cato, the Censor's grandson, over some of the Etruscans,[52] composed the Roman triumphs. On the other hand, there was a large list of losses on various scores besides the defeats of the year.[53] The Italians were better off. But

[48] Senec., De Benef., III. 23. "Da mihi quemquam," exclaims the philosopher, "qui magnificentius dominum servarit!"

[49] See the short fragment of Dion Cassius (CXIII.), in which a world of misery is described, or the account of the death of the Roman officers by order of Papius Mutilus. App., Bell. Civ., I. 42.

[50] Liv., Epit. LXXIII.

[51] Of whose defeat, however, the praise was given to Sulla, because he ended the action which Marius began. App., Bell. Civ., I. 43 *et seq.* Liv., Epit. LXXIII.

[52] Oros., V. 18. Flor., III. 18.

[53] Liv., Epit. LXXIII., LXXIV. Oros., V. 18. Flor., III. 18.

they had no such resources as those upon which the Romans could fall back. Neither had they the concerted energies that had always been aroused amongst the Romans whenever their dominion was assailed. So the year closed dark on either side.

At this crisis the surviving Consul, Julius Cæsar, returned to Rome, instructed in the difficulties of the contest, and resolved to expound and to meet them before his countrymen. It would be hard, he may have said, to conquer the Italians at all. It would be impossible even to resist them, if the allies hitherto faithful should on any account join their countrymen in rebellion. This did not need expatiation. When the Consul proposed, with the consent of the Senate, that citizenship, entire and complete, should be given to Latins, Etruscans, Campanians, and whatsoever other states or towns there were still standing firm to Rome, a law to that effect was passed without the slightest apparent controversy.[54] Some of the allies to whom the offer of citizenship was thus wisely made declined it altogether, but with gratitude.[55] Others, and the greater part, accepting it with joy, repaid it with more steadfast attachment. The effect of the Julian law, as it was called after its author, was not confined to the faithful, but extended even to the hostile Italians. These, indeed, it could not reach with such force as to disarm them. But it could convey such

[54] Ἰταλιωτῶν δὲ τοὺς ἔτι ἐν τῇ συμμαχίᾳ παραμένοντας εἶναι πολίτας. App., Bell. Civ., I. 49. The law included all, native or naturalized Italians, of the faithful.

[55] As the Heracleans and the Neapolitans. Cic., Pro Balbo, 8.

whispers of citizenship as to make many hope for peace.

The war continued.[56] But the colors, to use the poet's words, with which the Italian leaders had impainted their cause, began to fade. Dissensions were weakening some. Others, instead of relying upon themselves, were seeking foreign aid.[57] None, however, could have been encouraged by the results of their unaided exertions. The defeat of Vettius Scato, at the beginning of the year, was followed by the fall of Asculum.[58] It was found necessary to abandon Italica for the safer town of Æsernia in Samnium.[59] Yet the successes of the Romans[60] were far from sufficient to decide the contest. They had gained enough to be generous, not enough to be unyielding towards their foes.

Never did they more wisely conform to the circumstances in which they were placed. In the army of the Consul Pompeius, before the engagement with the troops under Vettius Scato, a youth of seventeen, serving his first campaign, was present at a conference between the Italian leader and the Consul's brother, Sextus Pompeius. The latter, as an old friend of Scato, came forward to urge his acceptance of the proffered truce. "What shall I call

[56] A. C. 89.

[57] Such as the attempted alliance with Mithridates of Pontus, at that time the nominal ally of the Commonwealth. Diod. Sic., Reliq., XXXVII. 2.

[58] Liv., Epit. LXXVI.

[59] Diod. Sic., Reliq., XXXVII. 2.

[60] The exploits of Pompeius Strabo, one of the Consuls, during the second year of the war, are related in App., Bell. Civ., I. 50, 52; Liv., Epit. LXXIV., LXXVI.; and Diod. Sic., Reliq., XXXVII. 2. Those of Sulla, the lieutenant and virtual successor of the other Consul, are in App., as before, 50, 51; Liv., as before, and LXXV.; and Diod. Sic., as before.

you?" asked the Roman. "Your friend in will, but of necessity your enemy," replied the Italian. Long afterwards, when the youth was known throughout the world of Rome as Marcus Tullius Cicero, he repeated the story of the interview, adding that he had witnessed no fear and but little enmity betwixt the foes, for all that the allies were seeking, as he says, was not to deprive the Romans of their rights, but merely to obtain the same rights for themselves.[61] Desire for reconciliation, on both sides, stole forth with soft-falling steps to save Italy from further desolation. The Romans conquered, and at the same time yielded. The Italians yielded, yet their demands prevailed.[62]

Before the snows or the green meadows could be trampled again by angry armies, Pompeius, the Consul, preferred a law to invest the people beyond the Po with rights like those previously belonging to the Latin Name.[63] Another law was brought up by Papirius Carbo and Plautius Silvanus, Tribunes, that all the Italians south of the Po, who would appear to make their claim within sixty days, should be admitted to the citizenship of Rome.[64]

[61] Cic., Philipp., XII. 11.

[62] "Italico bello, quo quidem Romani victis afflictisque, ipsi exarmati, quam integris universis civitatem dare maluerunt." Vell. Pat., II. 17.

[63] That is, the Jus Latii, or, as it was also called, the Latinitas. There were other Latin citizens, at least in later times, under the names of Latini Coloniarii and Latini Juniani. The divisions of the Romans and their subjects were henceforth those of Cives, Latini, and Peregrini. The first division comprised the Romans and the Italians; the second, these various Latins in Italy and in the provinces; and the third, the provincials and all other aliens. The title of municipality became common to all, or almost all Italian towns and colonies.

[64] Cic., Pro Arch., 3. Perhaps the previously mentioned law gave the citizenship to those called the Cispadani.

Against this the Samnites and the Lucanians alone held out for revenge.[65] The rest of the Italians were satisfied with independence. Such was the victory by which the conquered obtained their ends as though they had been conquerors, while the conquerors gave way, almost as though they had been conquered.

So the Italians became citizens, that is, Romans. Yet three hundred thousand of their number had perished.[66] Nor did the citizenship, won at such a cost, bid fair to console them. For they were enrolled in new Tribes,[67] whose influence yielded to the preponderance of the old ones. The Romans, on their side, could not forget how their Senate had ordered the dead to be buried on the fields of battle, lest the lamentations of kindred or friends at home should overcome the resolution of the survivors.[68] Still less could they forget how they had given way to the demands of their enemies.

Centralization was shaken. But it was shaken in such a manner as to rise more lofty and more ponderous than ever. The dissensions at Rome were increased. And it was from them that war was to swell, and despotism to triumph.

[65] Who were virtually subdued in the following year, when their chief, Pompædius Silo, was taken and slain. App., Bell. Civ., I. 53. Diod. Sic., Reliq., XXXVII. 2.

[66] Vell. Pat., II. 15. "Nec Annibalis," exclaims Florus (III. 18), "nec Pyrrhi tanta vastatio!"

[67] Of which the number varies from eight to fifteen. Appian (Bell. Civ., I. 49) says ten. Velleius Paterculus (II. 20) says eight.

[68] App., Bell. Civ., I. 43.

CHAPTER VII.

WAR AT ROME.

"Civilis vulnera dextræ."
LUCANUS, I. 32.

THE season of decay was not without its efforts towards regeneration. A few years before the Italian war, the Censors Domitius Ahenobarbus and Licinius Crassus expelled some Latin rhetoricians, on account of the corruption which they were supposed to introduce amongst their disciples.[1] Not long afterwards, the Prætor Sempronius Asellio endeavored to subdue the tumults excited afresh between creditors and debtors, by reviving the impossible law against interest. But it was far too late to wear about upon these courses, and Asellio, attacked by an armed band while sacrificing before a temple in the Forum, was slain as though he had been the victim whom his gods required.[2] Plautius Silvanus, a Tribune of the same year, and one

[1] A. C. 93. See the singular edict of the Censors in Aul. Gell., XV. 11, and the explanation which Cicero has preserved in De Orat., III. 24.

[2] A. C. 89. The Senate offered a reward for the apprehension of his murderers, but the affair was hushed up and nothing was ever heard of them. App., Bell. Civ., I. 54. Liv., Epit. LXXIV.

of the two whose law gave welcome to the Italians, was more successful in his wiser designs. A law, bearing his name, committed the choice of a certain number of judges to each of the Tribes, in order, as it seems, to invest the Senators, the Knights, and even the lower classes of citizens, then largely increased, with judicial authority.[3] Another law of Plautius determined the punishment of sedition or conflict as a public offence.[4] Could any such enactment have held fast, this one might have preserved peace and liberty yet a little longer at Rome. But the waves rose. Laws parted; freedom and concord sank together; and wild was the triumph of the tossing sea.

At the close of the year in which Plautius labored,[5] Lucius Cornelius Sulla, then at the age of fifty, was elected Consul. In him a youth of determined debauchery had been succeeded by a manhood[6] of determined ambition. Through both he had made himself the single object of his sacrifices and of his indulgences. How it fared with men beneath him, how with those around him, how even with the state above him, mattered not to Sulla. Whether Quæstor in the African or Lieutenant in the Northern wars, whether Prætor at Rome or Legate to the East, General against the Italians or

[3] "Quum primum Senatores cum Equitibus Romanis lege Plotia judicarent." Cic., Pro C. Corn., 1. But Asconius says in his commentary, "Et quidam etiam ex ipsa plebe."

[4] "Ad salutem omnium pertinet." Cic., Pro Cæl., 29. The Lex Lutatia was either identical with or else confirmatory of this law of Plautius.

[5] For A. C. 88.

[6] When, as Drumann says,— "Raffte er sich von den Trinkgelagen auf."

Consul amongst the Romans, Sulla was always serving himself first and himself last. The line of those who sought their own glory rather than that of the state had begun before. Sulla begins the line of those who sought no other glory than their own.

Between Sulla and Marius a burning enmity had long existed. Marius, as the older man, was in the way of Sulla. Sulla, as the younger, was crowding upon Marius. When Marius had beaten down Jugurtha, Sulla pressed in to receive the surrender of the Numidian. When Marius had quelled the Marsians, Sulla came up to obtain the praise of the victory. Additional causes of opposition between the two are to be found in their opposing characters. Sulla was as voluptuous as Marius was rugged. He was as cultivated as Marius was rude. He was as sceptical as Marius was superstitious.

Marius had not been a competitor for the consulship to which Sulla was chosen. But after the election, he competed with the Consul for the command of the war just then declared against Mithridates of Pontus.[7] It was given to Sulla.

The abyss opened at his departure. "From a clear and quiet sky," wrote Plutarch, as anxiously as if he had lived in these distracted times, "there came a sound of trumpet so shrill and solemn that men were stupefied."[8] The sound was soon echoed upon the earth. In the eagerness[9] of Marius to obtain the charge of the war with Mithridates, he per-

[7] A. C. 88. The character of this new enemy will be presently touched upon.

[8] Plut., Sull., 7.

[9] "Inexplebilis honorum Marii fames." Flor., III. 21.

suaded the most eloquent[10] of the Tribunes, Sulpicius Rufus, until then a strong partisan of Sulla, to bring forward a law that the citizens lately admitted into the new Tribes should be distributed over the five-and-thirty ancient Tribes, on equal footing with the ancient Romans.[11] Sulla was then halting in Campania to assist in the siege of Nola,[12] still in possession of the Samnite forces. There he received intelligence of the movement at Rome. Its object was no mystery to any, least of all to him. Were the Tribes once crowded with the new citizens, it would be easy for Marius to recall the Consul from the expedition on which he had departed. Sulla accordingly hastened back to Rome.

He found his colleague, Pompeius Rufus, as anxious as himself to resist the law proposed. But Sulpicius was more firmly supported than Sulla had anticipated. Six hundred armed Knights attended upon the Tribune as a body-guard.[13] The city was packed with crowds from the country. Behind these threatening throngs appeared the form of Marius, dilated with exultation at the prospects of his passionate old age. Sulla, nevertheless, was not so easily to be overawed. The consulship had seemed to him the seal of his preëminence. Nor had he any thought of wasting its authority, now that it was assailed. He and his colleague ordered a Jus-

[10] Cic., Brut., 55.

[11] App., Bell. Civ., I. 55. Cf. Liv., Epit. LXXVII., where not only the new citizens, but the freedmen are mentioned. Another law proposed the recall of the exiles under the recent Varian law.

[12] The account of Velleius Paterculus (II. 18) is here followed.

[13] Plut., Mar., 35. Sulpicius gave them the name of the Opposition Senate. Id., Sull., 8.

titium,[14] a sort of civil excommunication, in which both private and public business were suspended.

This, however, served only as the aggravation of hostilities. Sulpicius, with three thousand men[15] at his heels, attacked the Consuls, refusing to revoke their recent edict, in the open Forum. Pompeius fled. His son was slain. Sulla took refuge in the house of Marius, who, not so savage as to betray him, assisted his escape.[16] The resumption of affairs and the passage of the law concerning the registry of the new citizens, as well as of another law bestowing the command against Mithridates upon Marius, were the immediate consequences.[17]

A fiercer triumph soon ensued. Full of rage, not merely that he had been forced to yield, but that he had owed his safety to his hated adversary, Sulla returned to his army, panting for revenge. Two military Tribunes, sent to notify to him his deposition, were murdered. With thirty-five thousand men[18] gained over to his cause, whatever it might be, but abandoned by every officer save one,[19] he began to march towards Rome. Against such a force there was no protection, even had Marius been prepared for the catastrophe at hand. Two of the Prætors were sent out to delay the Consul's approach. But they came back with broken fasces and disordered robes, to tell how he was advancing, as he said, "to free his country from its tyrants."[20]

[14] App., Bell. Civ., I. 55.
[15] Plut., Sull., 8.
[16] Id., Mar., 35; Sull., 8, 10.
[17] App., Bell. Civ., I. 56.
[18] Plut., Mar., 35. Six legions, say App., Bell. Civ., I. 57, and Plut., Sull., 9.
[19] App., Bell. Civ., I. 57.
[20] Id., ib.; and Plut., Sull., 9.

Embassies of the Senate, others from Marius and Sulpicius, met with no better treatment. The worst was feared by Sulla's partisans, who knew his temper, as well as by his enemies, who knew their own helplessness. Marius, in a moment of frenzy, called the very slaves to arms.[21] But he was not yet nerved to shed the blood of his countrymen. The greater ferocity of Sulla prevailed. Trumpets blew in the streets. Swords were drawn at the doors. Nor until the day had been far spent in fight and butchery did the Consul spare the remaining citizens.

He called an assemblage of the people, and to such as obeyed his summons he declared his wrongs, as well as the means which he saw fit to use in their redress. His colleague stood by, consenting and admiring. Nor had the Tribes, or the Centurias, whichever had been convened, resistance to make against the repeal of the laws carried by Sulpicius. He, together with Marius and all the principal partisans of both, received sentence of proscription.[22] One generous man there was to defend the fallen. He was Mucius Scævola, an Augur, and formerly a Consul,[23] who now avowed, in defiance of Sulla's menaces, that he did not hold his old blood so precious as to save its last drops by consenting to the outlawry of Caius Marius, the preserver of Rome and of all Italy.[24] Marius fled, through hair-

[21] App., Bell. Civ., I. 58.

[22] Plut., Sull., 10. App., Bell. Civ., I. 60. The account in the preceding section of Appian is not trustworthy. Cf. Liv., Epit. LXXVII.

[23] Apparently the uncle of him whose law against the Italians is mentioned in the foregoing chapter.

[24] Val. Max., III. 8. 5.

breadth escapes,[25] to Africa. Sulpicius was betrayed by one of his own slaves, and put to death.[26]

Sulla was not yet the absolute master of Rome. Notwithstanding the terror inspired by his sanguinary triumph, the spirits of the citizens generally revived from day to day. So that when he commended certain candidates to their choice, they elected others whom he especially disapproved. There were other events, such as the murder of his recent colleague in the consulship,[27] to cause him anxiety. But contenting himself with an oath of fidelity from his successor, Cornelius Cinna, Sulla departed upon his long-delayed expedition to the East.

Even before he went, the fidelity of his successor failed.[28] Nor was Sulla more than out of Italy, when Cinna came forward to urge the recall of the proscribed, and the reënactment of the law concerning the new citizens. He was opposed by the other Consul, Cneius Octavius, a man of little previous repute,[29] but preferred by Sulla as one of his most capable followers. On Cinna's appearance in the assembly, with partisans secretly armed, Octavius was so well prepared for the same tumultuous course as to be able to drive his colleague, with his adherents, not only from the Forum, but from Rome.[30] Cinna was then deposed.

But the example of Sulla's return was fresh. The

[25] See Plut., Mar., 35–40.

[26] App., Bell. Civ., I. 60. Plut., Sull., 10.

[27] Pompeius Rufus was slain by the soldiers of whom he was about to take command, at the instigation of Pompeius Strabo. App., Bell. Civ., I. 63.

[28] Plut., Sull., 10. It was now A. C. 87.

[29] Cic., Brut., 47.

[30] App., Bell. Civ., I. 64.

soldiers serving in Campania were quickly gained by Cinna. Other troops swelled his array. Exiles and adventurers and most of the country folk gathered about their Consul, as they called Cinna. Marius came over from Africa to join him, with the title of Proconsul.[31] Quintus Sertorius, the bravest and the wisest man in Cinna's camp, advised in vain that Marius should not be received.[32] But the passions springing like armed monsters from the sowings of the last half-century were destined to have their way at Rome.

Meanwhile the city was hastily fortified. Sundry measures for arming its willing, and conciliating its unwilling[33] defenders were rapidly executed. After various manœuvres between the hostile parties, Octavius, the Consul, with his colleague in Cinna's place, Cornelius Merula, marched forth, at the head of all the forces which they could collect, to offer battle. Their ranks, however, were soon so thinned by desertion, and their counsels so baffled by discord amongst their partisans, that there was no other course for Merula but to resign,[34] and none for Octavius but to acknowledge Cinna as his colleague. Marius was the victor. The old man, hot with ire that would have ill befitted the youngest blood, halted an instant without the gates, in order that the sentence of outlawry upon him might be re-

[31] App., Bell. Civ., I. 65 – 67. Vell. Pat., II. 20. Liv., Epit. LXXIX.

[32] Plut., Sert., 5.

[33] Liv., Epit., LXXX., whence it seems that some special effort was made to gain over the lately enfranchised Italians.

[34] See the noble manner of his resignation in Diod. Sic., Reliq., XXXVIII.–XXXIX. 3.

pealed. Presently, too impatient to wait the vote of the people, he pressed on to do his work of wrath and slaughter.

It can be the desire of no Christian reader to hear the groans of the dying or the curses of the murderers. The violence of which Sulla had been guilty was sure to produce a reaction more violent still. So the swords that had put his adversaries to flight were now thrust back into the breasts of all favoring him or inimical to them. During five days and nights the massacre continued. Sertorius alone entreated mercy,[35] while Octavius was murdered in his consular chair, and such as Lutatius Catulus or Cornelius Merula were compelled to die by their own hands. Cinna was entirely under the control of Marius, and Marius was as entirely under the control of passions too fiendish to bear with a moment's humanity.[36] At his own command, he was proclaimed Consul with Cinna. Eighteen days afterwards,[37] he died in remorse, deserved, indeed, but fit to be commiserated.

An interlude of nearly four years elapsed between the acts of this tragedy, in which the death of Marius really formed the next preceding scene to the return of Sulla. Men held their breaths in awe at what they had beheld, and in more awful terror at

[35] Plut., Sert., 5. He not only entreated, but punished some of the assassins, sword in hand.

[36] "Non così lupo famelico sbrana gli agnelli intruso nell' ovile, come lo spietato Mario esterminava i cittadini." Verri, Notte Rom., Coll. III. The horrible details are in Cic., De Orat., III. 2, 3; Liv., Epit. LXXX; Vell. Pat., II. 22; App., Bell. Civ., I. 71–74; Plut., Mar., 42–44; Flor., III. 21. Sulla's property was destroyed or confiscated, and his wife and children were obliged to fly for their lives.

[37] A. C. 86. He was seventy-one years old. Plut., Mar., 45.

what was yet to be enacted in Rome. If a band of inferior performers were allowed to keep possession of the stage, it was because they who looked on were rather gazing behind the scenes, watching the movements of that fearful form at whose reappearance it was felt that not the stage only, but the whole amphitheatre, would swim in blood. A cabal, as it might be called, composed of Cornelius Cinna and a few men like him, Valerius Flaccus, Papirius Carbo, Caius Norbanus, Scipio Asiaticus, and Caius Marius, the adopted son of the departed warrior, held fast to the offices of the Commonwealth.[38] Choosing themselves by their own proclamations, they declared their edicts in the face of a palsied people.[39] But in spite of laws, elections, and even numerous forces raised and kept on foot, it was impossible for such a usurpation to endure.

Meanwhile, the miseries inflicted upon Rome by her own citizens were outdone by the barbarities of which her soldiers were guilty towards her Eastern provinces and enemies. Three years of mingled murders and mutinies, victories and devastations, had brought the war with Mithridates and the onslaught upon Greece and Asia Minor to a dismal close.[40] Without tarrying to complete the arrange-

[38] The chronology of these years is enough for their history. A. C. 86: Cinna Consul, first with Marius, and next with Valerius Flaccus. 85: Cinna and Carbo Consuls. 84: Cinna and Carbo, again; Cinna being slain, and Carbo remaining sole Consul. 83: Norbanus and Scipio Consuls; Carbo Proconsul. Sulla lands in Italy. 82: Marius and Carbo Consuls; overthrown by Sulla.

[39] "Temporibus iis quibus inter profectionem reditumque L. Sullæ sine jure fuit et sine ulla dignitate respublica." This is Cicero's account (Brut., 63), and he lived through "those times."

[40] Peace was made A. C. 84. App., Bell. Mithrid., 55, 58.

ments which the peace required, Sulla began to move, with all his most trusted soldiers, homewards. The time was come for war to be renewed at Rome.

Sulla had waited only to make his victory sure. While the life-long devotion of his soldiers had been gained, the power of his antagonists had crumbled away, leaving them and the whole body of his countrymen exposed. Some time before he actually started on his homeward march, he wrote from Athens to inform the Senate of his intention to return for the reparation of his private injuries and the condemnation of the public crimes.[41] When ambassadors, in consequence, hurried to him from the Senate, he answered briefly and bitterly to their interrogatories, that the friends[42] with him in exile must be reinstated in their possessions, but that even then he could never be on any terms with the perpetrators of the enormities by which he and his adherents had been outraged.[43] Such replies were like the frosty gusts of winter to those to whom they were borne. The remaining adherents of their fast approaching foe were massacred.[44] The very temples of the gods were plundered to pay the troops[45] to stand in the way of Sulla's soldiers. But the year soon closed in submission. The conqueror, by whose side were gathered many of the

[41] App., Bell. Civ., I. 77.

[42] His camp was full of fugitives of the higher ranks, "major pars nobilitatis." Vell. Pat., II. 23. So Plut., Sull., 22.

[43] Liv., Epit. LXXXIV. App., Bell. Civ., I. 79.

[44] App., Bell. Civ., I. 88. Cf. 56; Liv., Epit. LXXXVI.

[45] Val. Max., VII. 6. 4. 200,000 men were at one time in arms. Vell. Pat., II. 24. Sulla had 30,000 or 40,000. Id., ib., and App., Bell. Civ., I. 79.

most illustrious and the most promising of his countrymen, Metellus Pius, Crassus Dives, and the youthful Cneius Pompeius Strabo, took possession of Rome.[46]

The final battle at the gates was fought with the Samnites,[47] who had vainly hoped to find some room for victory amongst foes so sundered. Within the walls, and at the summit, so to speak, of the whole city, the Capitol, some time before destroyed by fire,[48] now lay in ruins. It was through this butchery of the last Italians in arms and to the blackened temple of his own Rome, that Sulla wended his way, begirt by bloody men and inspired by horrible resolves. His victims shuddered at the aspect of the lion-fox, as they styled him.[49] He called himself the Fortunate.[50]

That night, according to his own confession,[51] he could not sleep. The visions of his darkened chamber were soon the realities of the overshadowed city. Calling the Romans into the Forum, he declared that he would be good to them if they obeyed him, but that not one of his enemies would be spared.[52] The threat was thoroughly fulfilled, and not in Rome alone, but over all Italy.

If we turned away from the fury of Marius, we ought scarcely to hint the atrocity of Sulla. Every

[46] Metellus was the son of Marius's opponent, Metellus Numidicus; Pompeius, or, as we call him, Pompey, of Pompeius Strabo, the Consul in the Italian War.

[47] Vell. Pat., II. 27.

[48] App., Bell. Civ., I. 83.

[49] It was Carbo who said that he had to fight both a fox and a lion in Sulla. Plut., Sull., 28.

[50] "Felix." Vell. Pat., II. 27. Now A. C. 82.

[51] Ap. Plut., An Sen. etc., tom. IX. p. 143, ed. Reiske.

[52] App., Bell. Civ., I. 95.

vice that he had, whether of luxury or avarice or cruelty,[53] was let loose. Ninety Senators, fifteen of consular rank, and twenty-six hundred Knights were slain or exiled, besides those fallen in actual war, the more than one hundred thousand Roman and Italian youth whom the historian numbers.[54] Eight thousand prisoners fell in a single massacre.[55] Whole towns were fined, dismantled, or sold.[56] Into every sheepfold[57] there was an irruption, and in every den of the fiercer amongst the vanquished there was a deadly conflict. Whatever appetite the victors had for blood or for booty was amply glutted.[58] Nor did the destroyer stay his hand, until he found that he was leaving none to be plundered or murdered at a future day.[59]

[53] "Trium pestiferorum vitiorum," says Cicero, who, though young, knew Sulla well, "luxuriæ, avaritiæ, crudelitatis magister fuit." De Fin. Bon. et Mal., III. 22.

[54] App., Bell. Civ., I. 103. Eutropius (v. 9) says more. "Ne dici quidem opus est," says Cicero (In Cat. III. 10), "quanta diminutione civium et quanta calamitate reipublicæ."

[55] Liv., Epit. LXXXVIII. Cf. Plut., Sull., 30.

[56] Flor., III. 21. App., Bell. Civ., I. 96.

[57] "Et miseræ maculavit ovilia Romæ." Lucan., II. 197.

Any one who would sup full of horrors may turn to Liv., Epit. LXXXVIII. – LXXXIX.; Plut., Sull., 30 – 33; App., Bell. Civ., I. 94 – 96, 100, 101; Vell. Pat., II. 28; Val. Max., IX. 2. 1.

[58] "Neque prius finis jugulandi fuit quam Sulla omnes suos divitiis explevit." Sall., Cat., 51.

[59] "Vivere aliquos debere ut essent quibus imperarent." Flor., III. 21.

CHAPTER VIII.

DESPOTISM.

"A tyrant is one whose list is his law."
FULLER, *Profane State*, XVII.

FROM out the wars, Servile, Italian, and Roman, that had been fought and won, there rose the despotism of the final victor.[1] Sulla had been the first to do battle; he was the first to wield authority for himself alone.

Absolute power of life and death was conferred upon him by the Senators whom he spared from slaughter. At the same time his previous acts were ratified as having emanated from the same irresponsible authority.[2] This did not satisfy him. He chose to be named Dictator, with power not merely of life and death, but, as the biographer phrases it, "of confiscation, colonization, building and destroying cities, taking away and giving kingdoms."[3] In other words, Sulla determined to be master not only of Rome the city, but of Rome the world. He was of course gratified. The Senate appointed

[1] "Victam armis libertatem in dominationem verterunt." Tac., Hist., II. 38.

[2] Cic., De Leg. Agr., III. 2.

[3] Plut., Sull., 33.

an Interrex, Valerius Flaccus, who carried through the measures considered requisite. He was rewarded by the mastership of the Knights.[4]

So Sulla was confessed to be supreme. Before the rostra stood his equestrian statue, blazing with gold and inscribed to the Fortunate Victor.[5] Through the Forum and upon the Capitol, amongst the temples and the gathering-places of the city, were seen the guards and the lictors of the Dictator. Living or dead, the emblems of his sovereignty filled the city full.

The aristocracy, or what was left of it, professed to regard Sulla as their champion.[6] Some, like Metellus, Crassus, or Flaccus, would declare the necessity of having a single ruler.[7] Others, like the young Pompey, would feel a certain degree of pride in serving a chief so triumphant as Sulla. Whatever show might be made of voluntary adherence to the Dictator, the reality was indisputable. The submission of his adherents was as involuntary as that of his opponents.

Opponents were very few.[8] Such as had not been slain were generally disheartened. Porcius Cato, now nine years older than when he slighted the menaces of Pompædius Silo, asked, on beholding the monstrous cruelties of which Sulla's house or its neighborhood was the hourly scene, why, if others feared, he was not himself armed to kill the tyrant

[4] App., Bell. Civ., I. 100.

[5] Id., ib., I. 97.

[6] "Egregie auctoritate nobilitatis defensus." Val. Max., IX. 2. 1.

[7] "Dum necesse erat, resque ipsa cogebat, unus omnia poterat." Cic., Pro Sext. Rosc., 48.

[8] See App., Bell. Civ., I. 97; Dion Cass., Frag. CXXXVII.

and deliver Rome.[9] A young man, some years older than Cato, already one of the priesthood, and married to a daughter of Cornelius Cinna, was ordered to put away his wife, as of a blood displeasing to the conqueror. But the youthful husband refused; and though deprived of fortune and office, as well as obliged to hide himself from assassination, he neither yielded nor sought for pardon. His kindred, however, all of the highest rank, entreated Sulla in his behalf. The Vestal Virgins, whose privilege it was to intercede for the condemned, likewise besought that he might be forgiven. Sulla finally gave way, declaring, as he did so, that there were many Mariuses in the Julius Cæsar whom he spared.[10] It was more than the resolution of boys or youths could achieve, to right their shattered liberties. It was more than that of men could do, as we shall find on reading the efforts made by them.

The dictatorship lasted nearly three years.[11] Only the first few months were spent in wreaking vengeance. The succeeding months and years were employed in measures to prevent the fallen from rising to vengeance in their turn.

Immediate reaction was impossible. The proscribed were excluded from all opportunity of recovering fortune or authority.[12] Such of their friends as had been spared were lost in submissive dread. On the other hand, the factions supporting the Dic-

[9] Plut., Cat. Min., 3.

[10] Suet., C. J. Cæs., 1. Plut., Cæs., 1.

[11] It began towards the close of A. C. 82, and continued through 81 and 80 to the commencement of 79.

[12] Liv., Epit. LXXXIX. Vell. Pat., II. 28.

tator were buoyed up by the rewards received from him. Especially had his troops been recompensed. In their hands were the fairest portions of Italy.[13]

Sulla was not content with temporary security. He aspired to create a system which should endure not only while he lived, but after he had died. With this view, he undertook to reform, as he would have said, the laws and the institutions of the Commonwealth.

His reform, to adopt his expression, appears to have begun with the criminal law. The alterations introduced into this branch of the Roman code were of great importance in themselves,[14] as well as of signal influence, as may be supposed, in promoting the order wisely conceived by the Dictator to be indispensable to his supremacy.

It was equally necessary that the political forms of the code should be remoulded, in order to coexist with the mighty substance of the dictatorship. No one, according to Sulla's laws, was to be elected Prætor without having passed the quæstorship, or Consul without having held the prætorship.[15] The lower offices being filled with the proper instruments, the higher were sure to be held by serviceable individuals. To prevent his creatures from becoming too powerful, Sulla, by another law, forbade the reëlec-

[13] Twenty-three legions, according to App., Bell. Civ., I. 100; but forty-seven, according to Liv., Epit. LXXXIX., were thus provided for.

[14] Concerning the conduct of trials, as well as the crimes for which the trials were held. Murder, poisoning, extortion, forgery, false witness, household expenses, etc., were all made the subjects of new enactments. See any full Index Legum to Cicero; or Drumann, Geschichte Roms, vol. II. pp. 486 *et seq.*

[15] App., Bell. Civ., I. 100. This was a revival of a former law. The number of Prætors was increased to eight, and that of Quæstors to twenty, by Sulla.

tion of any person to the same magistracy within ten years of his first term.[16] Some of the great offices, like the censorship,[17] were left unfilled. Others were altered. The tribunate was completely metamorphosed into a post occupied by members chosen from the Senate,[18] with restricted rights of intercession,[19] and with abrogated powers of legislation.[20] To hold the office, even in this mutilated state, was a bar upon pretension to any other office thereafter.[21] The Tribes were next degraded by the admission of ten thousand freedmen, to whom the Cornelian name[22] was given as to so many clients of the Dictator; while the privileges of legislation and trials, once belonging to the assembly, were transferred to the Centurias.[23] The Senate and the priesthood were more favorably treated. The number of Augurs, Pontiffs, and probably Decemvirs of the Sibylline Books, was increased to fifteen in each college, to which the right of choosing its own members was then restored.[24] To the Senate was granted new legislative power,[25] at the same time that its old judicial authority was recovered from the

[16] App., Bell. Civ., I. 100. Also an ancient law.

[17] Apparently at least, if we take Cicero's complaint (In Cæc. Divin., 3) as literal.

[18] App., Bell. Civ., I. 100. See Suet., Aug., 10, 45; and Dion Cass., LIV. 30.

[19] Cic., De Legg., III. 9. Compare Cæsar's Commentaries on the Civil War, I. 5.

[20] Cic., loc. cit., and Pro Cluent., 40. Liv., Epit. LXXXIX.

[21] Ascon. in Cic., Pro. C. Corn., I.

[22] App., Bell. Civ., I. 100. Ὅπως ἑτοίμοις ἐκ τῶν δημοτῶν πρὸς τὰ παραγγελλόμενα μυρίοις χρῷτο, "That he might have ten thousand Tribesmen to fulfil his commands."

[23] See note 20. The Tribes, however, retained some of their elective powers. Cf. App., Bell. Civ., I. 59, and Cic., Pro. Dom., 30. The Centurias could not act without the previous consent of the Senate.

[24] Liv., Epit. LXXXIX. Serv. ad Æn., VI. 73. Dion Cass., XXXVII. 37.

[25] App., Bell. Civ., I. 59.

Knights,[26] who, as a faction, were wellnigh overwhelmed. All the principal magistracies, moreover, were to be held by Senators. It was natural that a body, spared or created[27] by the Dictator, should be clothed with sufficient authority, not so much to sustain as to obey him.

In the same continued determination to maintain his own power, Sulla framed his laws respecting the provinces. On the arrival of a new chief magistrate in his province, his predecessor was enjoined to depart within a limited period, although his commission was to last him on his journey home.[28] During office, the governor was prohibited from leading his army out of his province, or from abusing his nearly absolute authority within it.[29] The provincial cities were likewise restrained in the custom of sending embassies to chant the praises of their retiring governors before the Senate.[30] With these precautions, Sulla would have blocked up the way of the ambitious from dominion in the province to dominion in the metropolis.

Such was the legislation by which Sulla hedged round his despotism.[31] What he thus ordered by law, he supported with all the force at his command. Amongst his train was Lucretius Ofella, who had

[26] Vell. Pat., II. 32. Tac., Ann., XI. 22.

[27] Three hundred were raised from his followers among the Knights. App., Bell. Civ., I. 100. Liv., Epit. LXXXIX. They may have been elected, on his nomination, by the people.

[28] Cic., Ad. Div., I. 9, III. 6.

[29] Cic., In Pison, 21.

[30] Id., Ad. Div., III. 10.

[31] The old writer, Julius Exsuperantius, hit the truth, perhaps with Sallust's aid, in his Opusculum De Bellis Civilibus, when he said of Sulla, "Et rempublicam vindicatam non reddidit legibus, sed ipse possedit." Cap. V.

deserted the faction of Marius, and had since done great service to Sulla. On presenting himself, however, as a candidate for the consulship without having taken the preliminary steps to reach that office, Ofella was immediately commanded to desist from the canvass. He dared to disobey. Whereat the Dictator, sitting in state before a temple in view of the Forum, sent down a Centurion to slay the presuming candidate before his eyes. The partisans of the murdered man, perhaps ignorant of what had passed, dragged the murderer up to the Dictator's tribunal, assured of his instant desire to avenge the assassination of so favorite a general. Sulla rose, and coldly bade them loose the Centurion. "I commanded," he said, "and I tell it you, the death of Lucretius for having disregarded my behests."[32] And raising his voice, undoubtedly, while they stood motionless and alarmed, he continued:— "A certain ploughman, troubled by fleas, twice let go the plough to shake his frock; but being still tormented, he burned the frock that he might not be stopped again. And I tell you," he concluded, "you who have twice been conquered, to beware of fire brought upon you for the third time."[33]

The effort of a boisterous partisan to pull his master's plumes was not the only resistance to the dictatorship in which the liberty of the ancient Romans at first appears to have reached its conclusion. On the contrary, the days of its decay are gilded by

[32] Plut., Sull., 33. Liv., Epit. LXXXIX.
[33] App., Bell. Civ., I. 101.

signs that seem to betoken its resurrection rather than its overthrow.

One of the last places holding out against the dominion of Sulla was Volaterræ, a strong and picturesque city in Etruria. A number of its inhabitants, joined by fugitives from other districts, bore up with such manfulness against a siege, that, after its continuance for two years,[34] they were still in arms when the Dictator proposed the confiscation of their lands and the forfeiture of their citizenship.[35] But the Centurias, to whom, according to his new system, the proposal was made, refused to violate the rights of their fellow-countrymen.[36] The refusal is as a grain of promise in the midst of the wilderness through which we have lately passed.

An instance of more selfish independence occurred on the return of the young Pompey from Sicily and Africa, where he had crowned his service to Sulla[37] by destroying the last remains of the party of Cinna and Marius. The reception which he met without the gates of Rome from the Dictator himself as well as from the multitude thronging after, was a moment of inspiration to many of the qualities and the aims to be observed in him hereafter. Sulla received the "still unbearded" general with every expression of applause, even to the point of

[34] Strabo, v. 2. 6.

[35] The bill of disfranchisement proposed is in Cic., Pro. Cæc., 33.

[36] Cic., Pro Dom., 30, and Ad Div., XIII. 4.

[37] Pompey's first campaign, like Cicero's, was in the Social War, before he had passed his boyhood. His father, with whom he served, afterwards fought against Cinna and Sertorius, and he himself, still later, joined Sulla, on his arrival in Italy, with an army of three legions which he had raised in Picenum.

hailing him Magnus,[38] or the Great. But the claim of Pompey to celebrate a triumph was denied by the Dictator, whose will it was that the laws granting the highest honor of a Roman life to a Prætor or to a Consul alone should be obeyed, at least in this case, on account of the vaingloriousness already manifested by the youthful hero. Pompey might have been vain. But he did not fear openly to tell the Dictator that the rising would have more worshippers than the setting sun, or to repeat his demand.[39] Either admiring the spirit of the stripling, or perhaps desirous to soothe, instead of provoking such audacity, Sulla bade Pompey triumph, if he pleased. Yet had the Dictator been actually jealous[40] of a hero so much his junior, Pompey would have soon been sacrificed.

More generous, and in every way more admirable was the behaviour of Marcus Tullius Cicero, whose career will often present the same contrast to that of Pompey, than whom he was a few months older in years.[41] Cicero, now in his twenty-seventh year, was still unknown amongst the people. His public services consisted in a single campaign to which we have before alluded. Not yet had his private pursuits resulted in the achievements for which they were the preparation. A few friends alone were aware of the gifted mind and the hu-

[38] Plut., Pomp., 13.

[39] Id., ib., 14.

[40] Id., ib., 15. This was at the close of A. C. 81.

[41] Cicero was born, near Arpinum, on the third of January, A. C. 106; Pompey, on the thirtieth of September in the same year. The birth of their great contemporary and conqueror, Cæsar, occurred six years later, on the twelfth of July, 100.

mane heart with which they were brought into communion. Even their admiration was tinged with anxiety lest the affections and the endowments of his nature should be suffered to stray idly for want of guidance from an independent will. On coming forward, however, in the year of Pompey's triumph, to take his place amongst the Roman orators,[42] Cicero found many to trust in him and to encourage his trust in himself, the want, as it then seemed, which he most required to have supplied.

Within some months after Cicero's appearance in public, a young man from Ameria in Umbria, named Sextius Roscius, was accused of parricide by Cornelius Chrysogonus, the most notorious of Sulla's ten thousand freedmen. This accuser, having obtained possession of the father's estate, desired to anticipate the son's demands for its restitution. The only advocate to be found to sustain the obscure defendant against the charge of the Dictator's well-known favorite was Tullius Cicero. His courage may be ascribed to what they will who write with perpetual distrust of their fellow-creatures. But the defence of his client was not his only theme. Alone of all his countrymen, he mourned aloud for the calamities of their common country. Pleading the cause of Roscius, the orator branded Chrysogonus, and even reproached the all-powerful master by whom Chrysogonus was known

[42] A. C. 81; though the oration Pro P. Quintio (see cap. 1) was not his first.

to be upheld.[43] "There is no one of you," he exclaimed to the judges, "no one of you but knows that the Roman people is suffering under civil oppression. Drive it out from the city! Bear with it no longer in the Commonwealth, lest we, too, in the continuity of crime, lose every feeling of humanity from our minds!"[44] Roscius was acquitted.

Neither Cicero's eloquence, nor Pompey's presumption, nor the sympathy of the entire people for Volaterræ could have much effect upon the grandeur in which the Dictator lived. After nearly three years of dictatorship, during one of which he had also possessed the consulate, and through all of which he had commanded the entire resources of the Commonwealth, except those which it had possessed in Spain, Sulla one day came attended, as usual, by his four-and-twenty lictors into the Forum. It was too common a sight to attract a crowd. Only they who happened to be near heard him declare that he had come to lay down his power and retire into private life.[45] The lictors were dismissed. Like any other citizen, the Dictator walked up and down amongst the multitude hurrying in to see the strangest spectacle, as it seemed, ever witnessed in their changing Forum. One boy followed

[43] Pro S. Rosc., 45. Cf. 47, 49. "Die Römer," says Drumann, "bewunderten Cicero's Muth." Gesch. Roms, vol. v. p. 244.

[44] Pro S. Rosc., 53. If there be words in praise of Sulla to match with these to which I more gladly refer, it must be remembered how Cicero, like many other men, was persuaded that the laws of the Dictator had restored order to the Commonwealth and preëminence to the Senate. He called them "præclaræ leges Corneliæ" eight years after Sulla's death. In Verr. Act. II., II. 31. See Pro Dom., 30.

[45] This was near the beginning of A. C. 79. App., Bell. Civ., I. 103. Plut., Sull., 34.

the great man home with hootings offensive enough to the majesty of the new citizen to provoke his indignation.[46] But he had abdicated, in the full knowledge that such an affront would be all, nay more than all, the retribution to which he, in the midst of freedmen, veterans, magistrates, and dependants, could be exposed. His retirement not only showed the want of fear on his own part. It proved the want of hope on the part of his countrymen, or his subjects, as most of them were.[47]

We need not follow him into the debaucheries and the so-called literary pursuits in which he wasted the few remaining months of his life. Nor have we to repeat the loathsome details of his death.[48] He was buried in extraordinary pomp, without a regret from those whom he had most benefited, or a murmur from those yet living whom he had most injured.

Yet the memory of Sulla continued during many years to rule the Commonwealth. This was so for various reasons. One was the tenacity of his adherents in clinging to the authority with which he had invested them. Another was the helplessness of his opponents in the prostration to which he had abased them. But the chief cause to account for the endurance of his dominion after his death

[46] App., Bell. Civ., I. 104.

[47] "The Roman, when his burning heart
Was slaked with blood of Rome,
Threw down the dagger,— dared depart
In savage grandeur home.
He dared depart in utter scorn
Of men that such a yoke had borne,
Yet left him such a doom!"
BYRON.

[48] He died A. C. 78, at the age of 59. Plut., Sull., 36, 37. Val. Max., IX. 3. 8. App., Bell. Civ., I. 104.

is that which accounts for its stability during his life. This was the fact that the Roman world, long prepared for such a dominion as Sulla's, was now more suited to its continuance than to any attempts at restoration of the ancient liberties.

The confusion wrought during the ten or twenty preceding years have not been half told. In the revolving and overturning courses pursued by one party after another at Rome, scarcely an institution in public remained unaltered, scarcely a family in private was left unchanged. A merely political survey of the city might discover that the divisions long since noticed still remained, and that, though the Knights were deeply humbled by Sulla's triumph, and the Italians partially contented by the issue of their war, there was no less separation amongst these various classes than of yore. Had not each class been much diminished in numbers, its divisions would have been greater than they had been. Lines of demarcation through the higher orders were extending far and wide. The noble and the ignoble[49] by birth were almost as distinct as two different races. The aristocratic and the popular[50] by party were nearly as much at variance as two hostile nations. Neither of these factions or ranks had any definite principles or any appointed leaders. To-day, one man might prevail. To-morrow, another would displace him. Now, there was one

[49] Cicero (In Verr. Act. II., v. 70, 71) defines them both. Sallust, in words attributed to Marius (Jug., 85), completes the portraiture.

[50] "Duo genera semper in hac civitate fuerunt eorum, qui versari in republica . . . . studuerunt; quibus ex generibus alteri se populares, alteri optimates et haberi et esse voluerunt." Cic., Pro Sext., 45.

point to be carried. Anon, there was another. Where such confusion existed, peace could not be sought, liberty could not be found.

As for the crowds in the Roman Forum or throughout the Italian territory, they had but the choice of evils. Either they sank in subjection or rose to combat. There was no single side upon which they could array themselves. At one time they swarmed to support the aristocracy. At another they were gathered round the popular leaders.[51] But unless they fought, and successfully, for others, the mass of citizens had nothing to expect for themselves. To plead or to strike for their own cause, was as inconceivable as it was impracticable.

Below the citizens, equally dependent but still more helpless, were the throngs of freedmen, slaves, and aliens. Few men, few factions demanded their support. Their sympathy, their amelioration was sought by none.

Over all, especially the higher classes, there hung a leaden atmosphere of corruption. Not wealth, but the manner of procuring it,[52] then the manner of employing it,[53] was the bane of the later Commonwealth. Nowhere else beneath the sun could the method of amassing riches have been more fatal to

[51] "Illæ undæ comitiorum, ut mare profundum et immensum, effervescunt quodam quasi æstu." Cic., Pro Planc., 6. See Id., ib., 4, and Sall., Cat., 38.

[52] "Ce ne furent pas leurs richesses qui les corrompirent: ce fut la manière dont ils se les étaient procurées." Dunoyer, Liberté du Travail, Livre IV. ch. 4.

[53] See the Geschichte des Luxus, ap. Meirotto, Sitten und Lebensart der Römer, vol. II. pp. 87 *et seq.*; and, with particular reference to the present time, De Pastoret, Le Commerce et le Luxe des Romains, 2e Mém., ap. Mém. de l'Institut, Hist. et Litt. Anc., tom. III. pp. 377 *et seq.*

the subject. Nowhere else could the method of squandering them have been more fatal to the ruler. Luxury in public was as nothing compared to the licentiousness in private. The pen drops from the hand that would now describe the sins and shames of Rome.[54]

The gains of the Italian war had been followed by the losses of the succeeding contests. Many of the Italians would be driven to the same desperation that possessed the inhabitants of Norba, a Roman colony in Latium, when they set fire to their town and destroyed their scanty stores rather than be betrayed into the hands of Sulla's soldiers.[55] The colonies of the victorious legions brought evils worse than treachery or conflagration into the lands assigned them. Nor is there need of any detail to bring before the eyes that care to see such things the wrongs committed by soldiers coming from rapine in Asia and slaughter in Rome to live in unrestrained licentiousness amongst the country towns.[56] Besides the rough herdsmen of the mountains and the effeminate denizens of the cities, the greater part of the Italians seem to have vanished from their wasted homes.

The frontiers of the provinces were still marked

[54] Open Sallust's history of Catiline at almost any chapter, — 5, 11, 13, 24, — to read these things in the words of one who beheld and shared them.

[55] Οἵδε μὲν οὕτως ἐγκρατῶς ἀπέθανον, "And they thus bravely died," says the Greek historian. App., Bell. Civ., I. 94.

[56] In many cases they had towns of their own; witness the Bovianum Undecumanorum of the eleventh legion. Plin., Nat. Hist., III. 17. Sallust describes in one sentence the harpies whom Sulla let loose: — "Igitur hi milites, postquam victoriam adepti sunt, nihil reliqui victis fecere." Cat., 11.

by lines of Roman spears.[57] Within, they were still overrun by troops, tax-gatherers, and officials of every degree. The rise and fall of leaders at Rome added to the demands upon the subject realms. No sooner were the exactions of one party satisfied, than another appeared equally rapacious and equally resistless. So with the agents and dignitaries to whom the provincial administration was successively intrusted. Each set had its own wants, as well as those of its particular faction, to supply. All the while the appetite for plunder was increasing. What it had lately fed upon at Rome did but stimulate its ravenousness in the provinces.

Beyond the provinces, there were but few objects to excite the hopes or the fears of the Romans. Mithridates, the king of Pontus, whom Sulla checked, but did not stay to humble, was called by Cicero "the greatest monarch after Alexander."[58] The qualities and attainments natural to the latest century of Heathenism, and to the regions not yet reduced beneath the Roman sway, could not have been more singularly combined in any living man. His active frame was hardened not only by exercise in arms and the chase, but by antidotes to poison, a common drink, it might be called, in those Oriental lands. His equally active mind was provided with much of the learning of the Greeks, besides being practised in what to him was the far more useful knowledge of the two-and-twenty lan-

[57] "Iidem fines provinciæ fuerint qui gladiorum atque pilorum." Cic., In Pis., 16.

[58] Acad. Pr., lib. II. 1. Cf. the description by Vell. Paterculus, II. 18.

guages of his various subjects.[59] As the West was in stronger hands than his then were, he turned to the East and the North, in the hope of victory there, and perhaps, when that was gained, of conquest upon Western territory. The alarm was taken on the part of the Romans. After some provocations from them and concessions from him, the war began between their Commonwealth and Mithridates. It continued with great ferocity[60] on either side until the peace obtained by Sulla.[61] A year or two elapsed, and hostilities broke out afresh, though they were soon again suspended. At the time of Sulla's death, the Eastern king, however baffled in his designs of extensive sovereignty, still stood undaunted against the wolfish spirit,[62] as he is said to have styled it, which his foes had shown in their warfare and dominion.

Farther eastward, extended another independent power. A century and a half before the present date, Arsaces had appeared as the liberator of the Parthians and the founder of their kingdom.[63] From one of his successors an embassy was sent to Sulla, then in the East, proposing an alliance between the

[59] Val. Max., VIII. 7. 16, Ext. Plin., Nat. Hist., VII. 24.

[60] It was signalized, near its beginning, by the murder of one hundred and fifty thousand Romans, according to Plutarch's numbers, (Sull., 24), — that is, Romans and Italians, publicans, traders, residents, and even, if Appian (Bell. Mithrid., 23) be right, freedmen and slaves of the same blood, — in the cities of Asia, at the command of Mithridates. This was in the winter of A. C. 88 - 87, after Mithridates had been thirty years on the throne.

[61] A. C. 84. App., Bell. Mithrid., 55, 58.

[62] "Omnem illum populum," so runs Justin's account, "luporum animos inexplebiles sanguinis atque imperii, divitiarumque avidos ac jejunos habere." XXXVIII. 6.

[63] About A. C. 250. "Non minus memorabilis Parthis, quam Persis Cyrus, Macedonibus Alexander, Romanis Romulus." Justin., XLI. 5.

monarchy and the Commonwealth.[64] The alliance proved but the introduction to terrible hostilities in after years.

It may be plainer, after this rapid survey of the Commonwealth, as it was without and within, to read how the despotism of Sulla could last beyond his life. This, moreover, it did, in spite of the efforts made to lay it low.

The first revolt against the power left by the late Dictator took place on the occasion of his funeral.[65] It was attempted by Marcus Æmilius Lepidus, one of the Consuls, to prevent the corpse from receiving the last honors at Rome. He might as well have attempted to hinder its dissolution.

Lepidus, a man of small estimation with any class,[66] was married to a daughter of Appuleius Saturninus, whose factious life may have been a pattern to his son-in-law. Consul though he was, Lepidus made his demonstration against the memory of Sulla in vain. His proposals to repeal the dictatorial laws,[67] and to reinstate the Italians in their rights and lands,[68] were equally futile. He received the support of the soldiers, whose command devolved upon him as Proconsul in the following year.[69] But he was literally without any other partisans besides his abettor, Junius Brutus,[70] then in

[64] A. C. 92. Plut., Sull., 5.

[65] "Fax illius motus ab ipso Sullæ rogo exarsit." Flor., III. 23. App., Bell. Civ., I. 105.

[66] He had been a bad Prætor in Sicily (Cic., In Verr. Act. II., III. 91) and a faithless partisan of Sulla. Sall., Frag. Hist., lib. I.

[67] Liv., Epit. XC. See the doubtful oration of Lepidus in Sallust, loc. cit.

[68] App., Bell. Civ., I. 107.

[69] A. C. 77.

[70] He was the father of the conspirator.

command of Cisalpine Gaul, and a band of sorry followers collected in Etruria. He marched, without awaiting Brutus, against the city, where, near the Campus Martius, he was easily defeated[71] by his recent colleague, Catulus, and Pompey, who had formerly been his patron.[72] Not long afterwards he died in Sardinia, having done nothing more than add to the disturbance of his times.[73]

A far different venture was made in Spain, by Quintus Sertorius. Born of a respectable family in one of the ancient Sabine towns, high up amongst the Apennines, Sertorius had spent his youth partly in the hardy exercises of his neighbors, but chiefly, as it pleasantly appears, under the milder influences of his mother Rhea, his early teacher and his constant friend. Tenderness, sometimes feminine, and severity, sometimes cruel, were thus, perhaps, blended in his youthful disposition, as they appeared in the actions of his maturer years. He began his life as an advocate or orator.[74] But on enlisting at apparently an early age, he adopted the fiercer vocation of a soldier, and rose, through various posts, to the prætorship.

It was in this office, or in its continuation, the pro-prætorship, that he went to Spain in the year[75] witnessing the defeat of his fellow-partisans, with whom he had never been on easy terms. Obliged, almost immediately, to withdraw before the supe-

[71] App., Bell. Civ., I. 107.

[72] And had upheld him against Sulla. Plut., Sull., 34; Pomp., 15. Catulus was the son of Marius's colleague.

[73] "Hoc bellum ut ignis in stipula eadem celeritate qua exarsit, evanuit." Oros., v. 22. Cf. Cic., In Cat., III. 10. Flor., III. 23.

[74] Plut., Sert., 2. Cic., Brut., 48.

[75] A. C. 82.

rior forces sent against him by the Dictator, Sertorius crossed the sea to Africa. There for some months or years he appears to have played the part of a mercenary leader. He talked, it is reported, of sailing farther, to the Atlantic islands, where, as his biographer says, a rest from tyranny and ceaseless wars might be procured.[76] But when the Lusitanians sent for him to be their chieftain against the Roman forces in Spain, the spirit of the warrior revived. He hastened to obey their summons.

At first, he contented himself with leading his followers against the Roman armies, wherever they appeared. But as he was joined by greater and greater numbers of his countrymen, his plans assumed a definite form. He undertook no less than to restore the liberty of Rome.

This he would have done by building up a Commonwealth in Spain, whence it might expand until it became the Commonwealth of Rome. Establishing himself at Osca, not far from the Pyrenees, Sertorius formed a Senate of some who had been Senators at Rome, and of others who had followed him into exile.[77] For his Spanish allies he opened a school in which the youths of the highest families in the peninsula should be detained as hostages, at the same time that they were educated for future service. But he had no mind to admit them as equals with his Roman adherents. Sertorius was all the Roman. He would rather, he said, be the

[76] Plut., Sert., 9. The islands were, perhaps, the beautiful and grand Madeiras. See Id., ib., 8.

[77] App., Bell. Civ., 1. 108; Bell. Mithrid., 68. Plut., Sert., 22.

poorest citizen in his own country than an exile, though every other country were under his dominion. The great Mithridates proposed to combine with Sertorius in overwhelming the Roman rulers. "Keep to your own realms," was the reply. "Kings can have no part in Rome."[78] The Commonwealth which Sertorius was attempting to found would have been altogether Roman.

He proved his nationality by his success in war. Eight years[79] his troops withstood the forces sent from Rome. Metellus Pius and Pompey, besides many other commanders, were defeated. The forces of Sertorius increased. At one time he was strong enough to have marched upon Italy.

In the full glow of victory, he declared that he was ready to lay down his arms. "I long for home," he would say, "and for my mother." The news of her death reached him. He hid himself in his tent for eight days, nearly dying, as his sympathizing biographer writes, of sorrow.[80] But from that time his nature seemed bereft of its softer elements. The accounts of the change are probably exaggerated. But there must have been foundation for them. When there were no foes for him to wreak his passion upon, he turned upon his friends. His very pupils at Osca are said to have been slain.[81] He himself finally perished at the hands of some of his officers.[82]

[78] Plut., Sert., 23, 24. App., Bell. Mithrid., 68.

[79] From A. C. 80 to 72. The account of the campaigns may be read in Liv., Epit. XC. to XCIV. and XCVI.; App., Bell. Civ., I. 108–114; Id., De Reb. Hisp., 101; and Flor., III. 22.

[80] Plut., Sert., 22.

[81] Plut., Sert., 25. App., Bell. Civ., I. 102.

[82] Plut., Sert., 26.

Not only was there no restoration of liberty at Rome, but that which had risen in Spain fell in ruins. Spain itself was again wasted and chained.[83]

Another revolt had already occurred against the despotism not merely of Sulla, but of Rome. Some seventy-eight gladiators, escaping from confinement at Capua, and arming themselves with spits and knives from a kitchen, were soon joined by bondmen and needy peasants in great numbers. The host, increasing with success through that and the following year, swelled to nearly a hundred thousand, both freemen and slaves.[84]

The success of this wild insurrection is explained by the character of its leader, Spartacus.[85] A Thracian by birth, he had been enlisted in a troop raised for the Roman armies, from which, offended or restless, he deserted. Being recaptured, he was sold for a gladiator, whose strength and temper would make rare sport at some Roman games.[86] He it was who urged his companions to fly from Capua, and who, being acknowledged as their chief, compelled them and the disorderly array by which they were joined to submit to discipline under his command.[87] Notwithstanding their divisions, he led them from victory to victory.

But instead of encouraging his followers in their

[83] "Omnes pæne Hispaniæ occasione belli Sertoriani per Metellum et Pompeium in ditionem nostram acceptæ; postea . . . . a Pompeio perdomitæ sunt." Sextus Rufus, Brev., 5.

[84] A. C. 73. Flor., III. 20. App., Bell. Civ., I. 116. Plut., Crass., 8.

[85] See Plut., Crass., 8.

[86] App., Bell. Civ., I. 116. Flor., III. 20.

[87] Of course there were other leaders. Œnomaus and Crixus, both Gauls, were slain before Spartacus. Oros., V. 24. App., Bell. Civ., I. 116.

deeds or their projects of revenge, Spartacus urged their retiring beyond the Alps to their various homes.[88] At his persuasion, they marched northwards. But they soon turned back, and he with them, to defeat and death. The revolt had been sustained about two years.[89]

In all these movements against the despotism of Sulla and his successors, the Romans themselves had taken little part. As years went by, and they recovered from their terrors, the free spirit of their fathers began to breathe again more generally, though it could be vented, at first, only in murmurs. A Tribune, Cneius Sicinius, attempted, two years after the death of the Dictator, to restore the dignity of the tribunate, by assailing the faction which approved of its degradation.[90] A Consul of the next year, Aurelius Cotta, cleared the tribunate from the stigma of ineligibility to other offices.[91] But the support of this measure cost Quintus Opimius, one of the Tribunes, dear, at a trial to which he was soon afterwards held.[92] Two years later, a distribution of corn at fixed prices was commanded by the Consuls, as if in order to give the populace[93] a proof that the freedom which they liked best, that

[88] Plut., Crass., 9.

[89] A. C. 71. Liv., Epit. XCVII. App., Bell. Civ., I. 120. Flor., III. 20. Crassus Dives, the only man in Rome, Pompey being absent, who would accept the command against Spartacus, was his victor. Pompey returned in time to claim the credit of the victory. Plut., Crass., 11; Pomp., 21.

[90] A. C. 76. Plut., Crass., 7. His example was followed by L. Quintius, two years afterwards. Plut., Lucull., 5. Orat. Lic. Mac., ap. Sall., Hist., lib. III.

[91] A. C. 75. Cic., Pro C. Corn., I., with Asconius's Commentary.

[92] Orat. ap Sall., as before. Cic., In Verr., Act., II., I. 60.

[93] Then in tumult. A. C. 73. Sall., Hist., lib. III.

of largesses, was not yet departed. The Tribunes of the following year aimed higher with a law to prevent all men condemned for capital crimes from being suffered to remain in the city.[94] And the efforts of still another Tribune, Lollius Palicanus, in the year of Spartacus's defeat, to recover the tribunitian rights,[95] were fair enough, perhaps, to prove that liberty lingered amongst the ancient Romans.

[94] A. C. 72. Frienshem., in loc. Liv., XCVI. 37.

[95] A. C. 71. Ascon. in Cic., In Verr. Act. II., I. 15, 47. App., Bell. Civ., I. 121.

CHAPTER IX.

RESORT TO ONE.

"But whereas, in common and ordinary wickedness, this unreasonableness, this partiality and selfishness, relates only, or chiefly, to the temper and passions, in the characters we are now considering it reaches to the understanding and influences the very judgment."

BISHOP BUTLER, *Sermon* X.

A REASON not yet touched upon would alone explain the endurance of Sulla's sovereignty beyond his own lifetime. After anarchy and bloodshed such as had stormed amongst the Romans, the one dread uppermost was that of a fresh warfare at the gates. Bad as things were, it must have seemed that an attempt to improve them would probably result in rendering them worse.[1]

It was therefore as with an instinctive impulse that men looked about for a leader to take the place of Sulla. Not that they wanted one of the same unmitigated selfishness or the same uncontrolled ferocity. Yet divided as they were amongst themselves, they saw no other means of safety but in resort to one who should be able to rule them all. Not a

[1] See Cicero's sketches, taken at this very time, in his Divin. in Q. Cæc., 3 *et seq.*

new Dictator, but a new ruler, was the object of general desire.

Such an one appeared in Pompey, now returned from dealing with Sertorius in Spain.[2] He had shared too largely in the policy of Sulla not to desire it to be continued. At the same time, he had broken through it sufficiently not only to allow, but to effect the modifications which his countrymen required. They made him their Consul [3] without delay.

With some of the vices to which his late master yielded, there were blended in Pompey many of the virtues from which Sulla had swerved. He was ready for deeds of blood.[4] But he was inclined to deeds of mercy.[5] He lived for himself. But he was willing to shape his life so that others might be benefited by his success. His ambition was as great as that of any one before him or after him. But it wore a more amiable aspect than that of any one who rose so high.

This is easily explained. The prominent feature of his moral nature was the calmness with which he confided in himself. However fair the skies, he did not doubt but their serenity would continue. However dark they were, he did not doubt but they would soon be clear. Unlike most men possessing the same confidence, Pompey allowed his to show

[2] A. C. 71. He had been absent for five years.

[3] For A. C. 70.

[4] "Cn. Pompeius occultior non melior." Tac., Hist., II. 38. See an enumeration of his cruelties in the outburst of Helvius Mancia, ap. Val. Max., VI. 2. 8.

[5] As when he refused to examine the letters that had been sent to Sertorius by certain men of rank at Rome. Plut., Sert., 27.

itself. He did not strive to hasten events which he believed would come to pass. Nor did he exert himself to prevent movements which he felt sure would never succeed.

This told upon his intellectual character. He seemed undecided. He was inactive. He appeared to lack capacity. He did lack energy. He could receive a deep impression. But he could not impart one. He could accept admiration. But he could not command it. What men thought of him was rather what they desired than what he obliged them to think. Yet all this made him the more fitted to be the one to meet the want of a new ruler. He could rule with the consent of his countrymen. Without it, he could not. He showed no haste to be made Consul. So the Romans proclaimed him.

Crassus Dives had been one of the few whom the rise of Pompey discontented. It was unwarrantable, murmured Crassus, in this man to claim the glory of conquering Spartacus. Pompey had done so, though Crassus was the real conqueror. But Crassus appeared amongst the first who sought support from Pompey. To the favor which Pompey granted, Crassus owed his election to the consulship.[6] It may be imagined how dependent a colleague he made to Pompey. It may also be imagined how much other men would bend themselves, where Crassus, the sumptuous and the proud, could stoop so low.

[6] Plut., Pomp., 22. Crass., 12.

In rising to the consulship without having attained to either the prætorship or the quæstorship, Pompey had scaled the law by which Sulla had walled in the highest of the public offices. That the measures of the Dictator were to receive no blind support from the Consul, had been promised by him in the canvass.[7] He proved it immediately after entering upon office.

Sulla had left the tribunate a mere shadow.[8] Pompey undertook to restore its ancient fulness of form. The Senate opposed the enterprise. But it met with hearty greeting on the part of the Knights and the Tribes. Once more the Tribunes of the Plebeians, as they were still called, obtained the rights of rogation and intercession that had been in the keeping of their predecessors.[9] It is almost superfluous to intimate that the men to whom these powers were now committed bore little resemblance to the Tribunes of ancient days.

A bolder step was then taken by the Consul. The Dictator had invested the Senate with exclusive judicial authority. But the corruption reigning over the Senate and its tribunals had excited all classes, both at Rome and in the provinces. To propose the admission of other orders to the body of judges might be regarded by the Senate as an act of hostility. By all besides it would be hailed as an act of pacification. Pompey determined upon the proposal.

[7] Cic., In Verr. Act I., 15.

[8] "Tribunitiam potestatem . . . . cujus Sulla imaginem sine re reliquerat." Vell. Pat., II. 30.

[9] Liv., Epit. XCVII.

It must have been in concert with the Consul, that Tullius Cicero brought his impeachment against Caius Verres. This man had been Prætor of Sicily for three years. One year, he had been heard to say, was for himself, another for his supporters, and a third, the most profitable of all, for his judges. In arraigning him, Cicero arraigned the judges to bribe whom a twelvemonth's extortion had been deemed necessary. "In this trial," exclaimed the warm-hearted orator to the Senators, "ye will judge the culprit, and the people will judge you.[10] . . . . Or it will come to pass," he urged, "that embassies will arrive from our subjects to entreat the repeal of the laws against extortion, on the plea that they are able to satisfy their governors, but that to gorge the judges of their governors is impossible."[11]

The blow was decisive. To follow it up, Pompey seems to have selected one of the Prætors by whom a law was carried, appointing the judges from the Senators and the Knights promiscuously together with the Ærarian Tribunes.[12] The last, as paymasters of the army, may have been taken to represent the inferior citizens at the tribunals.

The next measure of Pompey was the revival of the censorship. A large number of Senators found guilty of peculation[13] were degraded by the new Censors. But the object for which these magistrates had been appointed appeared more plainly on

[10] In Verr. Act. I., 16.

[11] Ibid., 14. See, likewise, Ib., 1 and 15. We shall revert to the case of Verres.

[12] Liv., Epit. XCVII. Cic., In Verr. Act. II., III. 96.

[13] "Furti et captarum pecuniarum nomine." Cic., Pro Cluent., 42. Liv., Epit. XCVIII.

the review of the Knights. In the procession, as it descended into the Forum, came Pompey himself, surrounded by lictors and arrayed in the consular robes, yet leading his horse like any other Knight before or after him. As he drew nearer to the tribunal on which the Censors sat in solemn state, he bade his lictors stay, while he advanced alone, still leading his horse, to be inspected by the magistrates in proper form. The people looked on in silent wonder. But when they heard their hero reply to the interrogatories of the elder Censor, that he had served all the campaigns exacted by the law under his own command, the shouts of the multitude declared their delight. The Censors themselves arose to conduct the Knight and the Consul home.[14]

Against this towering supremacy of a single man, it was vain to attempt a stand. Crassus, as Consul, had taken the part of the Senate in the recent movements concerning the tribunate and the judiciary. But it had been in vain. When all was done that Pompey saw fit to do, Crassus, though supported by the majority of the Senate, found it prudent to make his peace with his overpowering colleague. "I think I am doing nothing base or humiliating," he said before the people, "in making the first advance to Pompey, whom, when beardless, ye thought worthy to be called the Great."[15] The year of the consulship drew to a close. Pompey refused to enter, as was usual, upon the government of a province. He preferred to continue in command of Rome.

[14] Plut., Pomp., 22.

[15] Plut., Pomp., 23; Crass., 12.

"Seldom," writes his biographer, "would he appear in public, and never without a throng attending him. Nor was it now easy to meet or to see him except in the midst of a crowd. He seemed to take the greatest pleasure in having a numerous body about him, as if he would have thus enhanced the respect and majesty attached to his person. For he thought that he ought to preserve his station from the approach or the familiarity of the many." [16]

Meanwhile an attempt, apparently successful, was made to recall some of those whom Sulla had sent into exile.[17] The popular party, if so the party of the Knights and the more substantial citizens beneath them may be called, gave various exhibitions of vitality. Of these the most notable occurred in the tribunate of Caius Cornelius, two years after the expiration of Pompey's consulship.[18] Cornelius, at some time Quæstor to Pompey, undoubtedly consulted his former commander in bringing forward the measures of his tribuneship.

One of his bills, directed against bribery at elections, was taken out of his hands by the Consuls of the year, and passed with heavy penalties under their name.[19] Another of the Cornelian bills declared the Prætors responsible to the edicts which they were wont to publish for others rather than for themselves. This measure was carried.[20] Another,

[16] Plut., Pomp., 23.

[17] Incidentally mentioned in an individual instance. Suet., C. J. Cæs., 5. Aul. Gell., XIII. 3.

[18] A. C. 67.

[19] "Severissime scripta." Cic., Pro Murena, 23; Pro Corn., 1. Dion Cass., XXXVI. 21.

[20] Ascon., Argum. in Orat. pro Corn. Dion Cass., XXXVI. 22, 23.

aimed at preventing usurious dealings with foreign envoys, failed. The prerogatives of the rich and the powerful were not so easily to be done away. But it was the last of the bills proposed by Cornelius which encountered the greatest opposition. By this bill, exemption from the public statutes, that is, from the obligations which they imposed, was made a matter to be decided only by the whole body of citizens. Again, the ruling class prevailed. All that the Tribune could effect was to provide that at least two hundred members of the Senate should be present on passing any act of exemption.[21] More would probably have been accomplished by Cornelius but for the absence of Pompey. He was still abroad, when the opponents of Cornelius brought him to trial for his proceedings in his tribunate. But shielded by the favor of the great man, Cornelius was acquitted. His advocate at the trial was Cicero.[22]

Cicero was already first amongst the orators of Rome. He had been elected Quæstor before his impeachment of Verres. While conducting that, he was elected Curule Ædile.[23] But his strength lay in the weapons which he wielded before the tribunals and in the assemblies of his nation. "Daily to his doors," writes his biographer, "there came no less a

The Prætor's Edictum was the collection of legal principles or rules, proclaimed by that magistrate at the beginning of his year, nominally both for his own government and for the instruction of those who should have suits to bring before him. See Hugo's Hist. Rom. Law, sect. CCLXXXVIII.

[21] Asconius and Dion Cassius, as above.

[22] Fragments alone remain of the oration Pro C. Cornelio.

[23] The quæstorship was in A. C. 75; the ædileship in 69. See Plut., Cic., 4 *et seq.*

number than courted Crassus on account of his wealth or Pompey on account of his power with the armies. . . . . Pompey himself paid great attention to Cicero; while Cicero by his public course contributed greatly to the power and fame of Pompey."[24] So it was. The highest intellect could but yield to him who was in "power with the armies."

The most ardent ambition could but do the same. Julius Cæsar, the youth in whom Sulla saw many Mariuses, was beginning to verify the anticipations of the Dictator. When his aunt Julia, the widow of Marius, died, Cæsar, then Quæstor, pronounced the funeral eulogy not only of the wife, but of the husband, in the midst of the Marian images, hitherto concealed.[25] All yet clinging to the wreck of the party which Marius had led hailed his eulogist as his successor. But the successor of Marius found it prudent to yield to the successor of Sulla. In the very year after Julia's funeral, Cæsar espoused a kinswoman of Pompey.[26]

While such as Cæsar and Cicero bent before the supremacy of Pompey, a few were preparing to assail it. The Senate had been disappointed in their champion. Not only had he failed to support them against the other orders of the state. But he had supported other orders against them. Worse than that, he had won to himself the allegiance of many out of their own body. Such as remained faithful

[24] Plut., Cic., 8.
[25] A. C. 68. Suet., Cæs., 5. Plut., Cæs., 5.
[26] Suet., Cæs., 6.

at length determined to depose the man whom they had been the most zealous in enthroning above them. Lutatius Catulus, the colleague of Lepidus, ten years before, was foremost in asserting the ascendancy of the Senate. Some joined themselves to him for principle's sake. A larger number rallied round Quintus Hortensius, equally the upholder of the Senate, but for selfish rather than for principled motives. All together formed a small array to be opposed to Pompey. The more so, that the circumstances to induce a resort to one ruler were stronger than ever. It seemed the only resort possible for a nation so beset within and without as were the Romans.

The Mediterranean was no longer their sea. Its waters were swept, its coasts were laid waste by a host of pirates. More than four hundred cities had been ransacked; Caieta, Ostia, and even the Appian Way had been scoured by their bands. It was unsafe for a Roman noble to drive to his villa. It was perilous for a Roman merchant to travel or to send abroad for the purposes of trade. Business and pleasure, the supply of luxuries and that of necessaries, were all at a stand-still. And still the Romans stood, waiting with folded arms, as if they thought it impossible for such a state of things to continue.[27]

It had lasted, however, for ten years, when[28] the rumor spread that Pompey would take command of

[27] Plut., Pomp., 24, 25. Dion Cass., xxxvi. 3 *et seq.* App., Bell. Mithr., 92 *et seq.* Flor., iii. 6. Cic., Pro Leg. Man., 11 *et seq.*

[28] A. C. 67.

an armament against the pirates. On the moment, a Tribune, Aulus Gabinius, was found to propose the creation of an authority suitable for the citizens to grant and for their leader to receive. The Gabinian bill, as it was called, proposed the election of a commander with absolute power for three years over the sea and its coasts for fifty miles inland, together with officers, soldiers, seamen, and supplies, all in a fleet of two hundred sail.[29] Against this extraordinary commission, the Senatorial leaders alone appeared in opposition. They resisted the project, not only because it invested a single man with unlimited authority, but likewise because it endangered their honors and profits in the provinces committed to their sway.[30] But the bill passed, and the only man, as Gabinius declared, to be found for the command, received it amidst the acclamations of his fellow-countrymen.[31]

Pompey made good use of his powers. Twenty-four Senators, besides two Quæstors, were appointed his lieutenants. For his troops, he raised five thousand horse, one hundred and twenty thousand heavy-armed, together with a large force of light-armed soldiers. These, with their equipments and supplies, he embarked in five hundred vessels, with which he took the sea. In three, some say in less than two months, the pirates were partly compelled, partly persuaded to make their submission.[32] The

[29] Vell. Pat., II. 31. Plut., Pomp., 25.

[30] See the reported harangue of Catulus in Dion Cass., XXXVI. 14 *et seq.*, especially 16.

[31] Id., XXXVI. 10. Compare the anecdote concerning Catulus in Vell. Pat., II. 32.

[32] Plut., Pomp., 26–28. App., Bell. Mithr., 97. Flor., III. 6. Cic., Pro Leg. Man., 19, 23.

Romans, whose forces had wrought the victory, ascribed it to their one great man.

Not contented with reducing the enemies of the state, Pompey turned against his own adversaries. A war was going on in Crete under the command of a Senator and Proconsul, Quintus Cæcilius Metellus. Success was on the point of crowning his operations, when Pompey interposed to receive the surrender of the Cretans. The Senator persevered in bringing the war to a close.[33] But on his return to claim his triumph at Rome, the adherents of Pompey made effectual resistance to his demands. The strange spectacle was seen of a victorious general waiting without the gates until one of his countrymen should give the signal for his admission. The signal was slow to come.[34]

Meantime, Pompey had obtained an addition to his powers. A second war with Mithridates had been prosecuted against that untiring monarch by Licinius Lucullus for eight long years.[35] It was for Pompey, as he and his partisans believed, to conclude the contest. Accordingly, another Tribune, Caius Manilius, proposed a bill, constituting Pompey, already the master of the Mediterranean, the commander of all the armies and all the realms in the East.[36] In vain the Senate interposed. The partisans of Pompey, headed by Cicero,[37] carried the

[33] Liv., Epit. XCIX., C. Plut., Pomp., 29. Flor., III. 7.

[34] Not until the fourth year from his arrival at Rome, that is, A. C. 62. Freinshem., in loc. Liv., CIII. 8.

[35] The war broke out A. C. 74. It was now the year 66. App., Bell. Mithr., 72–91. Plut., Lucull., 7–36. Vell. Pat., II. 33.

[36] Liv., Epit. C.

[37] See the glowing eulogy in Cic., Pro Leg. Man., 14.

bill triumphantly against its opponents. Thus, observes the historian, was the person of Pompey made the pivot of the Roman world.[38]

The proof is not to be sought merely amidst his victories. We may look lower to see how the might of a single man preponderated over the rights of his contemporaries. Amongst his train in the East was a freedman, by birth a Syrian, by name Demetrius. Possessing the favor of his master, Demetrius received the homage of all who wished to stand in Pompey's good graces.[39] Cato the younger, the Censor's great-grandson, was approaching Antioch, when he perceived a throng of men and boys, with white robes and garlands, waiting, it seemed, for the arrival of some distinguished stranger. Cato was indignant at being made, as he thought, the object of so idle a parade. But he had no occasion to be disturbed. As he and his companions approached, the leader of the crowd stepped forth to ask when Demetrius might be expected. Cato's friends could not contain their laughter. He merely exclaimed, "O miserable city!"[40] True it was, that the renowned Antioch had sent forth its deputies and priests to greet the freedman of the Roman. Had the master been looked for, the whole population would have been waiting to tender their submission.

[38] "Converterat Cn. Pompeii persona totum in se terrarum orbem." Vell. Pat., II. 31. Cf. Plut., Pomp., 30. See Drumann's detailed account of the Gabinian and Manilian laws. Gesch. Roms, vol. VI. pp. 401 *et seq.*

[39] "Quem non puduit," exclaims Seneca, "locupletiorem esse Pompeio!" De Tranq. An., 8.

[40] Plut., Cat. Min., 13; Pomp., 40.

CHAPTER X.

RESORT TO UNION: CICERO AGAINST VERRES.

"There is in man's nature a secret inclination and motion towards love of others, which, if it be not spent upon some one or a few, doth naturally spread itself towards many, and maketh men become humane and charitable."

BACON, *Essays*, x.

WHEN Cicero preferred his impeachment against Verres, as has been related, he pointed to higher issues than could be gained by bringing the Prætor or his judges to shame.

"After my departure from Sicily," he said, "in a way to leave a grateful and an enduring memory of my quæstorship amongst the Sicilians, they continued to regard me as one on whom they might depend for protection. Wasted, now, and abused, they, or their appointed deputies, have come to me with the entreaty that I would undertake the defence of their fortunes. . . . . They say that the time has arrived for defending not their possessions alone, but the security and the existence of the whole province. In their cities, they declare, they have not even a god to whom they can repair, the most sacred images having been removed

from the most hallowed shrines by Caius Verres. Whatever could be inflicted by extravagance in crime, cruelty in punishment, avariciousness in rapine, haughtiness in contumely, that, they announce, they have suffered for three years under this man's prætorship.[1] . . . . So that," adds the orator, "what seems to be an accusation on my part, should not be regarded as an accusation, but rather as a defence. For I defend many men, many cities, the whole province of Sicily."[2]

Nor was it for Sicily alone that Cicero lifted up his voice against Verres. "His robberies and crimes," declared the accuser, "have been witnessed not in Sicily alone, but in Achaia, Asia, Cilicia, Pamphylia, and here at Rome in the sight of all. . . . . Our provinces, ravaged, desolated, and utterly overwhelmed, our allies and tributaries, afflicted and distressed, are looking not for the prospect of safety but for the consolation of utter ruin. . . . . For these evils it has seemed to me that there is but one remedy. This is, that capable and upright men should embrace the cause of the Commonwealth and its laws. I confess, therefore, that, for the sake of the general good, I have undertaken to relieve that part of the Commonwealth which has been most heavily burdened. . . . . Therefore," proceeds Cicero, "I consider that to

[1] In Q. Cæc. Div., 1. So in the Actio Prima in Verrem: "Quum [Siciliam] iste per triennium ita vexavit ac perdidit, ut ea restitui in antiquum statum nullo modo possit." Act 1. 4.

[2] In Q. Cæc. Div., 2.

have espoused the cause of the Sicilians is the same as having espoused the cause of the Romans. For I do not consider that I have merely to chastise a single wicked man, as the Sicilians have demanded. I have to extinguish and blot out all wickedness in all places, as the Romans have long been demanding." [3]

"And ye," exclaimed Cicero, addressing the judges summoned to the trial, "ye have it in your power to regain the favor of the Roman people, and at the same time to satisfy other nations. There stands before you the plunderer of the treasury, the tormentor of Asia and Pamphylia, the violator of our city's law, the ruin and destruction of the Sicilian province. . . . . And I will never suffer," magnificently proclaims the orator, "these miserable men, once the allies and the friends of the Roman people, now its slaves and suppliants, I will never suffer them to lose not only their independence and their prosperity, but even the right of showing regret for them." [4]

The Forum of Rome had often rung with charges against those in authority throughout the provinces. But no language such as has here been quoted from Cicero had ever broke like sunlight athwart the tumultuous passions with which the Roman tribunals were invariably overshadowed. The nation had thrown itself upon the power of a single man. Foremost in the crowd of dependants, apparently the readiest of all to serve the ruler who had been ex-

[3] In Q. Cæc. Div., 2, 3, 8. [4] In Verr. Act. 1. 1, 18.

alted, stood Cicero. But there was a vast difference between the service of Cicero and that of the majority around him. They submitted to Pompey without reluctance. Cicero was never easy in his submission. Better things seemed within his reach than within the reach of others. Beyond the resort to one with which they were satisfied, he discerned the possibility of a resort to union.

And such a union! Between no others than those who had always been oppressed and those who had always been oppressors! The inspiration of his cause filled the whole being of the orator. He argued. He labored. He travelled to obtain his materials. Then he began to build up the tower from which the guilty, like Verres, were to be precipitated, while in its shadow the suffering, whether Sicilian or Asian, were to repose united with the Romans. The accused fled after the first plea against him.[5] The second, which had no need of being delivered, opens with the assurance that "there was no greater boon to confer upon the Commonwealth than to convince the people how well the allies, the laws, and the state were defended."[6] "All my aims," closes the final plea, "have been directed to the safety of our allies and the dignity of the Roman people."[7]

Solitary, however, was the position of Cicero in urging such a union of the Roman people and those whom he called their allies. Many of the men

[5] Verres lived in exile for nearly thirty years afterwards. Plin., Nat. Hist., xxxiv. 3.

[6] In Verr. Act. ii., i. 2.

[7] Ib., v. 72.

most eminent for birth, for wealth, and for intellect, ranged themselves on the side of Verres. Many more, it is true, declared against him. But they did so, either to applaud the blow of Pompey, or to strike blows of their own at the judicial authority of the Senate. Not one, perhaps, entered into the conception which we have attributed to Cicero. The resort to union was on his part alone.

Nor was he himself capable of holding to it consistently. "I have been induced," he declared in his opening address, "by duty, by fidelity, by humanity, by the example of many good men, by ancient usage, and by the law of our ancestors, to think myself bound to undertake this office."[8] Duty, fidelity, and humanity were sustaining motives. But the example, the usage, and the law of the Romans did not lead to union with their subjects.

A twelvemonth had not passed when Cicero appeared in the Forum not as the accuser, but as the defender of a Prætor charged with oppression of his province. It was Marcus or Manius Fonteius, a few years before the governor of Narbonese Gaul, whence witness after witness came to support the Romans[9] conducting the prosecution in behalf of the provincials. Cicero rests the defence chiefly upon the inferiority of the Gauls by whom his client was accused. "Will ye imagine," he asks the judges, "that these men can say any thing truly or temperately?"[10] Next he insists upon the hostility be-

[8] In Q. Cæc. Div., 2.
[9] M. Plætorius and M. Fabius. Pro Font., 15.
[10] Ib., 13.

tween the Romans and the Gauls. "Can ye doubt but that these strangers both feel and exhibit ingrafted enmity towards the name of the Roman people? Do ye fancy that they come here, in their outlandish attire, with lowly and humble minds like those of men who repair as suppliants and subjects to obtain redress from our judges? Nothing can be farther from the truth. Confident and audacious, with threats, indeed, and barbarian cries, they are scouring the Forum."[11] The idea of union with the provincials was already abandoned. Nor was there any other Roman to take it up again.[12]

Now and then, the provinces would obtain better governors. Of such, Licinius Lucullus, eight years Proconsul in Asia Minor, was one. Whatever judgment may be passed upon the military system on which he contended with Mithridates, there can be but one opinion in relation to the civil system on which the Proconsul governed the Asiatic provincials. "Long deprived as they had been," says the biographer, "of all law, they had suffered unspeakable and incredible afflictions. . . . . Such were their burdens as freemen, that slavery seemed to be a relief and a rest." This had arisen chiefly from the exactions of the Roman Publicans, against whom the Proconsul was comparatively powerless. But with such adroitness did Lucullus aid his subjects in obtaining the means to meet their obligations, that "the wronged," as Plutarch writes, "were

[11] Pro Font., 14.

[12] Cicero again appeared as the advocate of one charged with the oppression of Gaul. This was Calpurnius Piso.

all redressed. . . . . Nor was Lucullus beloved," continues the biographer, "only by the people whom he had succored. Other provinces longed for him, as one whom they thought it a blessing to have for a ruler." [13]

Gloom returned with the displacement of Lucullus by Pompey. This was the triumph of the Publicans, or of their chiefs, the Knights, over the provincials. The good which Lucullus had been doing for years was undone by Pompey in a day.[14]

It was the sentence not of man alone. Had the resort of the Romans to union with their subjects succeeded, their liberty might not have needed to be overthrown. But its overthrowal was the end ordained on high.

[13] Plut., Lucull., 20. See also [14] Plut., Lucull., 36; Pomp., 31; 23.

CHAPTER XI.

RESORT TO UNION: CICERO AGAINST CATILINE.

"Obsecro, abjiciamus ista, et semiliberi saltem simus."

CICERO, *Epist. ad Atticum*, XIII. 31.

LESS likely to fail seemed the second resort to union which Cicero essayed. For it was union amongst the Romans, and amongst their ruling classes alone, that he made the subject of his later venture.

It was time to make the trial. A series of struggles following the departure of Pompey had stirred up the waters at Rome. The Tribune Manilius passes a law admitting freedmen promiscuously amongst the Tribes. It is instantly repealed.[1] The Tribune Papius retorts with a statute removing all aliens from the city, and punishing such as have unwarrantably assumed the rights of citizenship.[2] Autronius Pætus and Cornelius Sulla, the Dictator's nephew, both Consuls elect, are debarred from entering upon the offices to which they had won the approach by bribes. Joined by Lucius Sergius Catiline, a man whose name was already a household

[1] A. C. 66. Ascon. in Cic., Pro Mil., 8. Dion Cass., XXXVI. 25.

[2] A. C. 65. The Papian law, as it was called from its author. Cic., De Off., III. 11. Dion Cass., XXXVII. 9.

word for all that was worst amongst his countrymen, Pætus and Sulla determine upon murdering the citizens elected in their stead.[3] The conspiracy miscarries. But not because it is suppressed by the authorities. Nor do they take any measures to bring the conspirators to punishment.[4] Not satisfied with present disturbances, Porcius Cato renews those of the past by an attack upon the surviving creatures of Sulla.[5] The stream of liberty flowed turbidly amongst the Romans. "In short," remarks the ancient biographer, "it was in the power of any man, bold enough, to overthrow the Commonwealth."[6]

At such a juncture, Cicero presented himself as a candidate for the consulship. Had he possessed all the confidence in himself, all the confidence of others which he needed, he would have found the way before him a rough one. As it was, it seemed almost impassable. A man of the toga, as he phrased it, not of the sword, a new man, as he called himself, not a noble, Cicero came forward, uncertain how far he might proceed. But there was that within him which whispered of triumph, of fame.

"Of my canvass," he writes to his chosen friend Atticus, "which I know is a matter of great interest to you, this is the state, as well as it can be foreseen. Publius Galba is the one soliciting

[3] Accused by L. Manlius Torquatus, they had been displaced by his father and L. Aurel. Cotta, the same whose prætorship and law have been mentioned. Cic., Pro Sull., 2, 3, 17, 18; De Fin. Bon. et Mal., II. 19.

[4] All this was at the end of A. C. 66 and the beginning of 65. Liv., Epit. CI.; Dion Cass., XXXVI. 27; Suet., Cæs., 9; Sall., Cat., 18.

[5] Cato was then (A. C. 65) Quæstor. Plut., Cat. Min., 17. Dion Cass., XXXVII. 10.

[6] Plut., Cic., 10.

votes, and he is refused without ceremony or reserve. . . . . People say they will not vote for him, on the ground of being pledged to me. In this way I hope to be advantaged by the spread of the opinion that very many are found to be my friends. . . . . The competitors whom I seem sure to have, are Galba, and Antonius, and Quintus Cornificius. At this, I imagine you either smiling or groaning. That you may fairly smite your forehead, I will tell you that some think of Cæsonius. I do not fancy Aquillius will be a candidate. But Catiline is certain to be one, if men will only judge that the sun does not shine at noon," in other words, if they will decide that his crimes are not clear as day. "About Aufidius and Palicanus, you cannot expect me to write." [7]

It was with either a smile or a groan that Cicero supposed his correspondent would read of Galba, Antonius, and Cornificius aspiring to the consulship. Galba and Cornificius, both described by Cicero as "severe and upright," [8] were apparently of so little distinction as to excite ridicule by their pretensions to the highest office of the state. The candidature of Antonius, a man notorius for dishonesty and licentiousness, aroused the opposition of many who beheld him competing for the consulship. It had been but very lately, however, that he was Cicero's colleague, both in the ædileship and the prætorship. Cæsonius, also Ædile with Cicero, had at one time received from him the expressions of

[7] Ad. Att., I. 1.

[8] In Verr. Act. I. 10.

the highest regard.[9] What there was in him to stir such indignation in Cicero or in his friend, does not appear. It may have been incapacity. The ill-repute of Catiline has already been mentioned.

He, together with Antonius Cornificius and Galba, persevered in the canvass. Cæsonius and the rest dropped away. But in the place of these appeared Lucius Cassius Longinus and Licinius Sacerdos, the former of respectable, the latter of more than respectable[10] reputation. So that Cicero had six competitors. In rank he was the lowest of them all.[11] "I shall use the greatest diligence," writes Cicero in the letter already cited, "in doing every thing proper for a candidate to do. Since Gaul," that is, the north of Italy, "seems to be very strong in votes, I may run down thither in the autumn. As soon as I have discovered the disposition of the nobles, I will write to you. Other things, I hope, will work favorably, provided none are added to the present competitors. Do all you can," entreats Cicero, "for you are not so far off as I, to secure to me the band of our friend Pompey. Tell him that I shall not be angry with him, even though he should not come up to the election."[12]

With this glance abroad, Cicero turned back to look about him at home. He soon found that Antonius and Catiline were getting ahead of their rivals in the race. No one was left farther behind than Cicero, against whom the two were united,

[9] In Verr. Act. I. 10.

[10] He was the predecessor of Verres in the Sicilian prætorship. Cic., In Verr. Act. II., II. 28.

[11] "Solus Cicero ex competitoribus equestri erat loco natus." Asconius, Argum. Orat. in Tog. Cand.

[12] Ad Att., I. 1.

under the protection, it was said, of Julius Cæsar and Crassus Dives.[13] An accusation, already brought against Catiline for oppression of the African province where he had been Prætor, came up at this moment for trial. It threatened to cut him off at once from the goal towards which he had been rapidly approaching. What did he do but seek the services of Cicero! And what did Cicero do but prepare to give them as the advocate of Catiline! "I am thinking just now," he writes to Atticus," "of defending my competitor Catiline. We have just such judges as we wish, and with the full consent of the accuser," bribed, therefore, as scarcely another besides Publius Clodius Pulcher could have been. "I hope," continues Cicero, "to have him, if he is acquitted, more on my side in the matter of the canvass. If it happens otherwise, I shall bear it calmly. But I am greatly in need of your speedy arrival, it being the general impression that some of your noble friends," meaning Cæsar and Crassus, "are about to oppose my election. In conciliating their favor towards me, you will be, I see, of the greatest use to me."[14]

The coalition between Cicero and Catiline was never carried out. "Me even," exclaimed Cicero, "me had he almost deceived, so nearly did he seem to me the good citizen, the associate of the excellent, the firm and the faithful friend."[15] It was insincere in Cicero to say so. But he was not insincere enough actually to take part with Catiline.

[13] Ascon., Argum. Orat. in Tog. Cand.

[14] Ad Att., I. 2.

[15] Pro Cæl., 6.

Not the less, however, was Catiline acquitted amid the applause of all the higher orders.[16]

It was then that Cicero declared himself. An act passed the Senate increasing the penalties attached to bribery at the elections. This being aimed directly against Catiline and Antonius, they induced one of the Tribunes to interpose his veto upon the promulgation of the act.[17] Cicero could do no less than take side with the Senate against his rivals and their Tribune. "So," he exclaims, addressing the Tribune, "you say that I am unworthy of the consulship. Is the people of Rome less capable of choosing its defender than you were, when, accused of extortion, you selected me for your advocate?" "And you," continues Cicero, turning to Catiline, "do you not know that you have just been acquitted only that you might be reserved for a graver trial and a greater punishment?" "As for the other," that is, Antonius, "he is waiting," says the orator, "to excite a war of slaves."[18]

This was but a few days before the election. Cicero was triumphantly elected. "First of the new men for many years, have I been thus honored," he said soon after the result was known. "With one voice," he affirms, "hath the Roman people proclaimed me Consul."[19] But for his colleague he could obtain no other than Caius Antonius. Not yet was the people united in the support of Cicero. He was three-and-forty years of age. With thin figure, small head, and piercing eyes, he looked like

[16] Pro Cæl., 6, and Pro Sull., 29.
[17] Ascon., Argum. Orat. in Tog. Cand.
[18] All from the fragments of the Orat. in Tog. Cand.
[19] De Leg. Agr., II. 2.

what he was, a man of nervous and feeble constitution. No light burden for such an one to bear was now resting upon him. Without a colleague to aid him, without many earnest adherents to sustain him, the weight of a state heavy with factions lay upon his shoulders.[20]

A Knight by descent, he was also a Senator by office. He thus belonged to two orders at variance with each other, besides being divided amongst themselves. To repair the divisions between one order and the other was to make the nearest possible approach to repairing those by which each order was sundered. Could the Knights be united with the Senators, the separation of the aristocratic from the popular, of the noble from the ignoble, would come to an end. To conceive of such a union implied a spirit with which few, if any, had ever entered upon the consulate at Rome.

The measures of Cicero as Consul must be judged according to this projected union. He assisted Lucullus to obtain the triumph which that general had long been claiming for victories in the East.[21] He called the people from the theatre, where they had hissed the author of a law providing separate seats for the Knights, to rebuke them for affronting an honorable man and the great estate whom he represented.[22] He even resisted the claims of the sons of those proscribed by Sulla and his followers to be restored to their rights and patrimonies.[23] The case,

[20] Elected in A. C. 64, he entered upon his consulate in 63.

[21] Cicero relates his interference in behalf of Lucullus, in Acad. Pr., II. 1.

[22] Plin., Nat. Hist., VII. 31.

[23] Plut., Cic., 12.

he mournfully confessed, was cruel. "Yet such," he added, "is the dependence of the state upon the laws of Sulla, that it cannot stand, if they are broken down."[24] A proposal by one of the Tribunes, that all existing debts should be annulled, was opposed by the Consul, notwithstanding its acceptability to the lower classes, because of its injustice to the higher.[25] With equal zeal to hinder the abuses in more powerful quarters, he himself brought up a law to abolish, but modified so as simply to restrict the right of the Senate to grant permissions of travel or residence in the provinces at the expense of their inhabitants.[26] In such a course, Cicero could not avoid exciting expostulation, or even aversion. But if these different proceedings be fairly weighed, it will be seen how evenly he meant to hold the scales between the restless parties with which he had to deal.

Wherever a cause like that maintained by Cicero requires the consideration of so many contending interests, it is plain that there must be an opposite cause upheld. At the head of those most resolute in keeping open the wounds which Cicero would have bound up was Julius Cæsar. The leader no longer of the Marian party, but of a party that might well be called by his own name, he bade fair to become, as his adherents foretold, "the first man of all." "You are storming the Commonwealth," cried Catulus, the leader of the Senate, when Cæsar set up the trophies of Marius upon

[24] Quint., Inst. Orat., XI. 1. 85.
[25] Dion Cass., XXXVII. 25.
[26] These grants were called Free Legations. Cic., De Legg., III. 18.

the Capitol.[27] But the mass evinced its preference for the stormer over the defender in electing Cæsar Chief Pontiff, notwithstanding the endeavors of Catulus to obtain the office.[28] Cæsar had opposed the election of Cicero. He was soon in opposition against the projects of the new Consul.

The first point was to rouse the populace against the orders whom Cicero would have united. Not long after his election, a bill denominated Agrarian was proposed by Servilius Rullus, one of the Tribunes. It provided for the appointment of ten commissioners with ample powers to sell the greater part of the public domains, to receive the public spoils and revenues, excepting such as were in Pompey's hands, and then, with the enormous sums thus procured, to purchase lands in Italy for the needy citizens, for whom, moreover, colonies were to be founded upon any portion of the public territory remaining unsold.[29] To accomplish this gigantic project, the commissioners were to keep their offices for five years, with irresponsible and absolute power, as well beyond as within the boundaries of Italy. Nothing could so effectually stir up the lower orders against the upper, as a scheme in behalf of the former which the latter were sure to oppose.

[27] Plut., Cæs., 6.

[28] Id., ib., 7. Suet., Cæs., 13. The law, by which Sulla restored to the pontifical college the right of filling its own vacancies, had just been repealed.

[29] The details of the scheme will be found in Cicero's orations De Leg. Agr., I. 1, 2, 5, 7, II. 5, 7, 22, 25, 26, III. 1, 3, 4. It was not intended to disturb any proprietors who had come into possession of lands in Italy since A. C. 82 (Sulla's triumph), or out of Italy since 88 (the Italian War).

Cicero spoke against the bill on the very first day of his consulship. He warned the people against the ten kings proposed in the persons of the ten commissioners.[30] He entreated them to observe that, however popular it seemed to propose so liberal a distribution of lands, "nothing could really be so popular as what he then offered them in peace, tranquillity, and ease." [31] The bill was rejected. But the sting remained.

The next step of Cæsar was to prove the impunity with which his adherents might act against the higher classes. Another Tribune, Titus Labienus, came forward to charge Caius Rabirius, an aged Senator, with having murdered Saturninus in the conflict between him and the Senate, thirty-seven long years before. The old man was tried by two judges, appointed, after an antiquated form, by the Prætor; [32] and they, being none other than Julius and his kinsman Lucius Cæsar, pronounced Rabirius guilty. He appealed from their sentence to the Centurias, before whom Hortensius the Senator and Cicero both appeared in his defence. The leaders under Cæsar were resolved, at his bidding, as others besides themselves understood,[33] to strike a blow at the Senate, by deciding the incompetency of that body to arm the magistrates or the people against an insurrection. Cicero plainly stated how "it was to render the authority of the

[30] De Leg. Agr., II. 6. See also I. 7, II. 10, 13, 15; and Plut., Cic., 12.

[31] De Leg. Agr., II. 37.

[32] That of trial for *perduellio*, or high-treason, conducted in olden times before the Duumviri Perduellionis. See Cic., Pro Rab., 5.

[33] Suet., Cæs., 12. Dion Cass., XXXVII. 26 *et seq.*

Senate, the power of the Consuls, and the union of all good men against the calamities and the perils of the Commonwealth unavailing, that the age, the infirmity, and the loneliness of this man had been arraigned."[34] But it was only through a stratagem[35] that the assembly was dispersed before the people voted against the gray hairs of Rabirius.

Cæsar was not the only one to excite apprehension amongst those desirous of union. Pompey, still invested with unlimited authority in the East, wore a threatening look to many who gazed after him from Rome. Porcius Cato, recently acting against the creatures of Sulla, was amongst the most resolute in the party of the Senate to prevent the return of Pompey to the dominion which he had formerly exercised. As Cato was journeying with a few friends to spend some leisure weeks at his estate in Lucania, he heard that Metellus Nepos, for the last three or four years a favorite officer of Pompey, was on his way to seek the tribuneship at Rome. Cato instantly ordered his attendants to turn back; and on being asked by his travelling companions, why he had so suddenly changed his mind, he answered that it was no time for retirement, when such a man as Metellus was about to fall like a thunderbolt upon the Commonwealth.[36] Offering himself as a candidate for

[34] Pro C. Rab., 1.

[35] Of Metellus Celer, then in the prætorship, who pulled down the standard on the Janiculum; the assembly, according to an old form, not being in order unless the standard was kept flying. Dion Cass., XXXVII. 27, 28.

[36] Plut., Cat., 20.

the tribuneship, Cato was elected. Not, however, to the exclusion of Metellus, who was chosen likewise.

Amongst the candidates for the consulship of the approaching year, Catiline again appeared. Twice before rejected, he was now advancing at the head of a band resolved to carry his election for their sakes as well as for his own. Some of these men, like Cornelius Lentulus, formerly Consul, were aspiring to "reign."[37] Others, like Cassius Longinus, sought subordinate authority. Others still, like Quintus Curius or the younger Cornelius Cethegus, were intent upon obtaining the means to gratify their lusts or prodigalities. Many of the Senators, many more of the Knights, both of the city and of the country, especially from the colonies of Sulla, attached themselves to the train of Catiline.[38]

At the outset, that is, at the time when he was suing with Cicero for the consulship, Catiline promised his associates little more than the abolition of debts as the reward of their exertions.[39] But when Cicero was elected over him, his designs expanded and darkened. Large sums of money, large supplies of arms were raised. Great numbers of men, some who had, and others who had not seen service, were gathered in a camp formed in Etruria.[40] "Very grand," they believed, "and very noble

[37] There was a prophecy current that a third Cornelius (Cinna having been a first, and Sulla a second) should reign at Rome. Plut., Cic., 17.

[38] Sall., Cat., 17, 28. Cic., In Cat., II. 8–10. Plut., Cic., 14. See Drumann, Gesch. Roms, vol. v. pp. 415 *et seq.*

[39] Sall., Cat., 21.

[40] "Omnino cuncta plebes. . . . . Urbana plebes. . . . . Juventus in

was their enterprise."[41] For it was supremacy in the Commonwealth towards which Catiline was directing his own and his followers' views. All were gratified by the prospect. It promised power to the ambitious, indulgence to the luxurious, crime to the depraved. Yet there was nothing in the enterprise or in its leader so monstrous as his opponents would make it out. Strong in body, ardent in intellect, as generous to those whom he favored as he was unscrupulous towards those whom he opposed, Catiline possessed many of the good as well as of the bad points in the character of his race.[42] His conspiracy, as it is styled, was of a nature to bring out not only the meaner but, comparatively speaking, the nobler passions of his confederates. Where the Gracchi had fallen, where Marius and Sulla had risen, few better men than Catiline or his associates could remain.[43]

The greater was the reason to rejoice that Cicero could oppose the conspiracy. Earnest in his design of uniting the higher classes, he saw it menaced with overwhelming ruin by the plans of Catiline. Back to the darkest day of division and butchery would the state be hurled, were the conspirators to succeed. Many of the most eminent men appeared indifferent to the course which things might take.

agris. . . . . Præterea quorum, victoria Sullæ, parentes proscripti, bona erepta, jus libertatis imminutum erat. . . . . Ad hoc quicumque aliarum atque Senati partium erant." Sall., Cat., 37. See Capp. 24, 26, 27.

[41] "Maximum atque pulcherrimum facinus." Id., ib., 20.

[42] Cic., Pro Cæl., 5, 6. Sall., Cat., 5.

[43] "Incitabant præterea corrupti civitatis mores." Sall., Cat., 5. See the whole of Cap. 38. It was not every people, as Juvenal (Sat., XIV. 41, 42) would have us believe, that could produce a Catiline.

This was partly to be accounted for by the fact that Cicero, as Consul, had received secret information concerning the conspiracy.[44] But there was no denying that some of the leading citizens, like Crassus and Cæsar,[45] were implicated in the movements of Catiline. All the more zealously did Cicero determine to uphold his cause, the cause of his country, against that of Catiline, threatening to become the new ruler of Rome.

The Consul left no stone unturned to hinder the election of Catiline as his successor. He induced his colleague Antonius to separate from the conspirators, with whom that personage had hitherto acted. He carried a new law to prevent the corrupt practices by which Catiline, like other candidates, was obtaining partisans.[46] How he was acting upon those already secured, Cicero presently informed the Senate, by reporting the appeal of Catiline to his associates. "He says," quoth the Consul, "that no faithful defender of the wretched can be found save one who is himself wretched, that the impoverished and ruined cannot trust to the promises of the wealthy and the prosperous. Of the fallen," continued Cicero, "he professes himself the leader and standard-bearer." At the Consul's proposal, the Senate declared the election prorogued from the following day, on which it had been appointed to take place. "We need time," urged Cicero.[47]

[44] Through Fulvia, a lady of high rank, and the mistress of Quintus Curius, the conspirator. Sall., Cat., 23, 26.

[45] See Merivale's Hist. of the Romans under the Empire, vol. I. pp. 76, 79.

[46] Cic., Pro Murena, 23. Dion Cass., XXXVII. 29.

[47] Pro Mur., 25.

"The next day," to give the account in Cicero's words, "the Senate being full, I called up Catiline. I bade him explain, if he chose, the reports that had been brought to me. He, with his customary boldness, offered no apology, but rather made a declaration of his purposes. For he said that there were two bodies belonging to the Commonwealth. One was thin, and with a feeble head. The other was stout, but without a head. To this, he declared, a head should no more be wanting, if he lived. A murmur ran through the crowded Senate. But nothing such as the indignity of the occasion appeared to demand was determined on. Some hesitated about taking any formal measures because they feared not; others, because they feared. Then," pursues Cicero, "he broke forth exulting from the Senate. Yet thence he should never have been permitted to go out alive. The more so, that but a few days before, in the same assembly, he had replied to that brave man, Cato, menacing him with judgment, that if any fire were kindled against his designs, he would extinguish it not by water, but by universal ruin."[48]

This was going too far. The effort to obtain the rule at Rome might excite applause as well as murmurs. But the avowal that ruin would follow in the train of the ruler roused the general indignation. Cicero and his colleague were invested with absolute power, according to the usual form, to ward off injury from the Commonwealth.[49] Armed and

[48] Pro Mur., 25. Plut., Cic., 14. Cf. Dion Cass., XXXVII. 29.

[49] Cic., In Cat., I. 2, 3.

guarded, the Consul descended into the Campus Martius at the time appointed for the elections. To his infinite joy, he was able to declare Junius Silanus and Licinius Murena elected as his successors.[50] Catiline was defeated.

Soon as he could, the baffled chief called his followers together. "Ye must temporize no longer," was the substance of his communication to them. "Already are some of our confederates up in arms, northwards and southwards. I go to lead down our troops from the camp in Etruria. I leave you to despatch Cicero and his adherents. Then ye must set fire to Rome."[51] Even those to whom he spoke were startled by his directions. But they promised obedience. Two Knights pledged themselves to murder Cicero at once. But on proceeding to the Consul's house, they could gain no admission.

Cicero instantly summoned the Senate to the temple of Jupiter Stator the Preserver. Already had the news of the risings in different quarters been received, already had the proper precautions been taken.[52] Aware, therefore of the crisis that had arrived, the Senators again assembled. With them came Catiline, seeking his place amongst the curule seats, where many of the more eminent Senators were gathered. Shrinking from him as though his touch had been fatal, they pressed towards Cicero, who stood excited but resolute, pre-

[50] Pro Mur., 26.

[51] Sall., Cat., 27.

"The ills that I have done cannot be safe
But by attempting greater; and I feel
A spirit within me chides my sluggish hands," etc.
Ben Jonson's Catiline, Act. I. sc. 1.

[52] Sall., Cat., 30, 31.

pared to break out upon Catiline. "How long," he thundered, "how long, O Catiline, wilt thou abuse our forbearance?" One by one, the plots of the foe were unmasked. One by one, the penalties in store for him were exposed. "And thou, Jupiter," concluded the Consul, "thou whom we call the Preserver of our city and our dominions, — thou wilt drive this man and his accomplices away from thy shrines and from our walls, — thou wilt save our fortunes and our lives!" [53] In vain Catiline attempted to obtain a hearing. Driven amidst execrations from the Senate, he instantly set out from Rome.[54] "I go," he wrote back on the road, "to exile at Marseilles." [55] It was soon known that he had assumed the emblems of sovereignty at the camp in Etruria.

Meanwhile, Cicero had called the people together to hear an official account, as it were, of what had occurred.[56] The Senate met to pronounce Catiline a public enemy, and to promise pardon to all who would abandon his cause. Antonius the Consul was directed to lead his forces against Catiline, while Cicero remained "as the guard of the city." "Deeply lamentable," writes the contemporary historian, "appeared to me at that period the power of the Roman people. For when all things from East to West lay in subjection to our arms, we had citizens of our own resolved upon the destruction of themselves and of the Commonwealth." [57]

[53] In Cat., I. 13.
[54] Sall., Cat., 31, 32. Plut., Cic., 16. Cf. Diod. Sic., Reliq., XL. 5.
[55] Sall., Cat., 34.
[56] In the second of the orations against Catiline.
[57] Sall., Cat., 36.

Not one of the number attached to Catiline was found to leave his standard or to betray his plans.

It seemed, indeed, as if the only union was upon the side of those assailing the public liberties. At Rome, division upon division ensued. First, in the thick of the conspiracy, came the prosecution of Licinius Murena, one of the Consuls elect, on the ground of bribery. One of his unsuccessful competitors led the charge. But it was Porcius Cato who lent the chief impetus to the trial. Murena's colleague elect, Junius Silanus, had been equally guilty of corruption at the elections. But he was the brother-in-law of Cato. Murena was defended by Crassus, by Hortensius, and, above all, by Cicero. Pleading the danger of holding a new election at such a season, he insisted upon the necessity of leaving the highest authority in the most vigorous hands,[58] whether stained, though this he did not urge, or unstained. A verdict of acquittal followed.

Still more serious were the differences of party in relation to Catiline's accomplices.[59] Placed under arrest, yet appearing to be begirt with rescuers rather than with guards, they threatened greater peril to their opponents than when they had been at large.[60] The question came up in the Senate as to the sentence which should be passed upon the conspirators. It excited conflicting opinions. One party, led by Julius Cæsar, proposed to confiscate

[58] Cic., Pro Murena, 37 *et seq.*

[59] See the third oration against Catiline.

[60] Sall., Cat., 50. App., Bell. Civ., II. 5. Dion Cass., XXXVII. 35.

the estates of the prisoners and to confine their persons in some of the Italian towns.[61] The opposite party, led by Junius Silanus, maintained the necessity of punishing the guilty by death.[62] With this party Cicero sided. No man had ever spoken more eloquently upon the inviolability of the Roman citizen.[63] No one was now more earnest in casting it off.[64] It was but another proof that the liberty of Rome, like a foundering bark, was in such danger as to compel its freemen to part with their stoutest masts or their most precious wares.

There was a moment's lull. The conspirators, condemned by the Senate, lay lifeless in the dungeons of the Capitol.[65] Forth came the Consul with many of the principal Senators. It was in the dusk. But the crowd of the daytime still lingered in the Forum. Some, concerned with the conspirators, were anxious to learn their fate. Others, hoping for the overthrow of the conspiracy, waited to hear their hopes confirmed. As Cicero proceeded, he passed a group of men whom he knew to have been engaged in the conspiracy. "They are dead!" said he to them, in a loud and significant tone, understood by those to whom it was addressed, and soon repeated through the Forum and along the adjoining streets. The enthusiastic people thronged about the Consul, declaring him to be their pre-

[61] Sall., Cat., 51. Plut., Cæs., 7.

[62] In Cat., IV. 4. Cato was the most prominent on that side. Cic., Ad. Att., XI. 21. Sall., Cat., 52.

[63] In Verr. Act. II., V. 61, 62.

[64] See the fourth oration against Catiline.

[65] Sall., Cat., 55. App., Bell. Civ., II. 6.

server; while at the doors, on either side, and from the roofs above, there suddenly shone the light of lamps and torches,[66] with which the way to his home was as bright as when he walked to the Senate in the morning.

The illumination seemed to spread over the following days. While the Senate decreed a public thanksgiving in the name of Cicero, he was saluted by Catulus as the Father of his Country.[67] The glorious title was, at Cato's instance, confirmed by the people in the Forum.[68] "Ye have," declared Cicero himself in his last oration about the conspiracy, "ye have all ranks, all men, the whole Roman people, of one and the same opinion; and it is the first instance of such a concord in a civil cause. . . . . The Knights are with us. This day and this cause recall them, after dissensions of many years, to the association of the Senate. If the connection cemented in my consulship be made perpetual, I promise that no domestic injuries shall hereafter befall any part of the Commonwealth." In almost the next breath he denied that the work which he had reason to call his own could by any possibility be destroyed. "No violence," he exclaimed, "shall ever be so deadly as to break through and undermine the union amongst you, the unanimity of all good men!" [69]

The promise was scarcely made before it began to fail. On the last day of the year Cicero ap-

[66] Plut., Cic., 22.

[67] Cic., In Pis., 3.

[68] Plut., Cic., 23. App., Bell. Civ., II. 10.

[69] In Cat., IV. 9, 7, 10.

peared upon the rostra to render the customary account of his consulship, and to swear before the people that he had obeyed the laws. The tribunal above him was already occupied by two of the magistrates for the following year. One was the Tribune Metellus Nepos, elected in Pompey's interest. The other was the Prætor Cæsar, elected before the suppression of the conspiracy, and who, since the sentence against the conspirators, had hardly been seen, except amongst the populace in opposition to the Senate.[70] When Cicero rose on the rostra, Metellus rose on his tribunal, and by virtue of his authority forbade the Consul to do more than pronounce the oath of fidelity in its simplest form. Unprepared for this as he was, Cicero nevertheless advanced without faltering [71] to the front, and swore aloud and solemnly that the Commonwealth had been preserved through his devotion. "However great the oath," he said a few years afterwards, "it was approved by the shouts and the consent of all the people." [72] The crowd that waited on him home left the Forum empty to the Tribune and the Prætor, shamed by the enthusiasm not then to be hindered. Nor did it seriously falter until after Catiline perished in the field.[73]

The confidence of Cicero in the union which he had maintained was not long secure. There is a letter of some months' later date, addressed by him

[70] Plut., Cæs., 8. Suet., Cæs., 14, 15.

[71] In Pis., 3.

[72] Ibid. Plut., Cic., 23.

[73] At the beginning of the following year, A. C. 62. Sall., Cat., 60. Flor., IV. 1. He had 20,000 men under his command. Sall., Cat., 37, 39. App., Bell. Civ., II. 7.

to Pompey, who, it seems, had replied but coldly to the intelligence received from Cicero concerning the events of his consulship. "Lest you be ignorant," he says, "of what I thought wanting in your letter to me, I will write with the frankness required by my own nature, as well as by the friendship between us. I expected some congratulation, on account both of our connection and of the Commonwealth, for the deeds which I have done; and I think you may have omitted it for fear of offending some one. But be sure" — yet the tone is not itself sure — "that what you and I have done for the safety of our country is approved by the judgment and the testimony of the world."[74] Some hope, ungrounded as it may have been, was raised in Cicero by the return of Pompey, in whom he trusted a faithful citizen might be brought back to the Commonwealth.[75] "I am protecting," he writes, "as well as I am able, the union cemented as my own policy and institution; yet, since it is really infirm, I trust that one way, at least, to preserve it will be well guarded."[76] The resort to union was to be supported by the resort, again, to one.

Cicero's language rapidly becomes more mournful. "You must be ready," he says, "to exclaim, that the state can last no longer. The Senate is harassed. The Knights are alienated. A single year has thus overturned the two foundations which I alone established; for it has not only cast down the authority of the Senate, but has dissolved the

[74] Ad Div., v. 7.
[75] Ad Att., i. 14.
[76] Ib., ib. 17.

concord between the higher orders. A statesman and a patriot is not to be found even in dreams." [77] "We are in the dregs," he said, "of the Commonwealth." [78]

Thus was union amongst the higher orders at Rome proved to be impracticable. If there was one reason for this above another, it was the impracticability of union between the Romans and their subjects. The cause which Cicero pleaded against Catiline failed, though seeming to succeed, because that which he pleaded against Verres had also failed, though also seeming to succeed.

"There are those," wrote Cicero, "who deny that any bond of law or of association for purposes of common good exists amongst citizens. It is an opinion which rends asunder all union in a state. There are others who deny that any such bond exists between themselves and strangers. They destroy the common union of the human race." [79] Such remonstrances as these of Cicero awoke but faint echoes at Rome or through the Roman world.

More stirring were the sounds of conflict than those of peace. The marches of Pompey had extended the sway of Rome over the countries on the Eastern coasts of the Mediterranean. The last formidable foe in those quarters perished with Mithridates.[80] His kingdom of Pontus, and the neigh-

[77] Ad Att., I. 18.

[78] "Dicit enim," was his remark in relation to the course of Cato at this time, "tanquam in Platonis Πολίτειᾳ, non tanquam in Romuli fæce, sententiam." Ad Att., II. 1.

[79] De Off., III. 6.

[80] He fell in despair by the sword of one of his mercenaries, after having reigned for half a century. App., Bell. Mithr., 111. Dion Cass., XXXVII. 10. At Cicero's proposal,

boring Cilicia and Syria, were reduced to Roman provinces.[81]

The fears excited by the victor at Rome were even greater than those aroused amongst the wretched victims of his conquests. Soon after the retirement of Cicero, it was proposed by Metellus Nepos, and seconded by Cæsar, that Pompey with his army should be recalled. To this, the opposition of Porcius Cato, then in his tribuneship, was so vehement and so sustained as to provoke the most tumultuous riots, during which Metellus and Cæsar were both declared deposed from their magistracies.[82] Such resistance was as vain as it was contrary to all the laws which Cato intended to uphold. Metellus fled to Pompey. But Cæsar was immediately reinstated in the prætorship, and allowed to prepare his plans for greater issues.

The conqueror of the East arrived at Brundusium, where he disbanded his army, in the year succeeding to Cicero's consulship. But several months elapsed ere he entered the city, just before his forty-fifty birth-day,[83] in the most magnificent procession that had ever ascended the Capitol by the Sacred Way. He was overwhelmed with honors.[84] It was a triumph over the resort to union.

a thanksgiving of ten days was decreed in Pompey's name, on the arrival of the news that Mithridates was dead. De Prov. Cons., 11.

[81] A. C. 66–63. App., Bell. Mithr., 105 *et seq.*, 114. Plut., Pomp., 32–43. Vell. Pat., II. 37, 40.

[82] Plut., Cat., 26–29; Cic., 23. Suet., Cæs., 16.

[83] The triumph was celebrated on the 28th and 29th Sept., A. C. 61. Plut., Pomp., 45. App., Bell. Mithr., 116, 117.

[84] Dion Cass., XXXVII. 21.

CHAPTER XII.

THE LATER FAITH.

"La inolvidable leccion de que la religion es la primera necesidad de los pueblos." BALMES.

THUS far have we traced the decay of liberty in the outward world of the Romans. We have still to observe that which took place in their inward world. It is in the desolation of the latter that we discover the secret concerning the prostration of the former. The life without must always correspond to the life within.

Long years had passed since the Roman religion threw itself for support upon the Roman law. In the interval, both the law and the religion had greatly altered.

To begin with the law, upon which the religion depended. Extending over wider realms and more various races, the law of Rome lost somewhat of its firmness as well as its compactness. The Law of Nations, as it was called, began to prevail over the Law of the State, or the Civil Law.[1] If the former was the more liberal, it was also the more

[1] See Savigny, Hist. Rom. Law in the Middle Ages, ch. 1. *ad init.*

uncertain. It might be better for the subjects of the Romans. But for the Romans themselves it must have been the source of many perplexities. The Civil Law itself was not so clearly settled as it had been. Its subordination to the changing edicts of the Prætors rendered its provisions unstable. Its practitioners found themselves obliged to veer from fact to conjecture, to expediency from principle. This is the more plainly evinced by the endeavors of the best jurists, during the period in question, to reduce the law to the form of a system.[2] These, however, renewed the confusion. For the generalities by which law was to be established as a science proved more difficult of adjustment than any particulars, however wavering, had been before.[3] All the while, moreover, the state was reeling through revolutions, every one shaking its strength, every one, therefore, choking the utterance which it had in its law.[4]

Exactly the same influences are to be noticed as having acted upon the religion of the later Romans. It was affected by conquest. Its deities no longer reigned alone. Those of other lands were mingled with the gods of Rome. So, too, the Roman religion was changed by its priests. It has been mentioned that the books said to contain the tenets of Numa were burned as dangerous to the prevailing doctrines. Above all, the religion of the later Ro-

[2] See Champagny, Les Césars, tom. v. pp. 98, 99.

[3] As Cicero says, (De Legg., I. 5) "Non ergo a Prætoris Edicto . . . . neque a XII. Tabulis, ... sed penitus ex intima philosophia hauriendam juris disciplinam putas."

[4] Remark the ridiculing tone of Cicero. Pro Mur., 12, 13.

mans was agitated by the storms which raged amongst them. Every thing holiest had been, at some time or other, degraded. Every thing profanest had been, in some way or other, sanctified.

The religious sentiment could not die. But it slept beneath the oppressions that lay upon it at Rome. A large number professed to have no religion. Of those who confessed that they had any, the greater proportion did so merely to demand their part in the feast or the pomp of the various religious celebrations. Such as sought after better things did not claim much from religion. It had no power to serve them. Nor had they any mind to serve it. The consequence was that between the religion of the Romans and all the higher men amongst them a gulf seemed to have opened.

No man was more likely to be religious, according to the true sense of the word, than Cicero. Every fault as well as every excellence in him was of a nature to encourage his reverence for a religion in which he could believe. Yet he says that he must doubt about the cardinal points in the Roman system. "To begin with divination," he writes, "I suppose this must be practised for the sake of the Commonwealth and its religion. But now that we can talk freely, ... let us examine into them."[5] And he proceeds to argue against the art of both Haruspex and Augur, as well as against all the less respected forms of divination. "What god," he is said to have exclaimed in a

[5] De Div., II. 11, 12 *et seq.*

different place, "what god, even, can we believe in as being able to succor our Commonwealth?"[6]

From such as Cicero, religion was obliged to retreat to the multitude. Only the lower orders, thronging to the spectacle or to the game, appeared to be drawn towards the national religion. With them, it was cherished only in proportion to the amount of entertainment which it could provide for them. Had it won them all, it would have had but feeble supporters in comparison with its needs. When was it ever heard at Rome that religion, or any other principle, could rest upon the multitude?

Whither, then, could it repair? On what could the religious sentiment depend for breath? More than ever was the Roman religion in need of support. Yet this it could not receive from the law by which it had been sustained. The law itself, as we have read, was unstable. Another prop was needed to bear up religion. It threw itself upon philosophy.[7] On this for a foundation the Romans constructed what we have styled their later faith.

"Parent of philosophy," remarks Cicero, "may stand as the title of Socrates."[8] From him was traced the succession through Plato and Aristotle, Zeno and Epicurus, to whose instructions the Romans owed their various philosophies. Zeno taught his followers, the Stoics, to subject their affections to their reason. Epicurus inculcated almost the op-

[6] "Quem deum, si cupiat, opitulari posse reipublicæ credamus?" Pro Marc., 7.

[7] "Le sentiment religieux s'est réfugié dans les écoles." Vacherot, École d'Alexandrie, tom. II. p. 76.

[8] "Parens philosophiæ jure dici potest." De Fin. Bon. et Mal., II. 1. So Acad. Post., I. 4.

posite. The reason, he urged, if it does not actually submit to the affections, must hold itself subordinate to them; it must be their attendant, if not their slave. Midway between the Epicureans and the Stoics were the members of the New Academy, as it was styled. Arcesilaus was the founder of the school. But Carneades was regarded as its head at Rome. By these reason was exalted to a higher place than that to which the Epicureans raised it. But it remained in a lower place than that assigned to it by the Stoics. It was the rule to which the New Academicians professed to conform.[9] But it could result, according to their confession, in no actions, in no contemplations, that were secure. Whatever it might be as a means, the end to which it led was uncertainty.[10]

Such were the materials for the Romans to employ in the substructure of their later faith. Doubt lay ready for the hand of the New Academician, impulse for that of the Epicurean, resolution for that of the Stoic. The last was the only one to bear up what could properly be styled a faith. The Epicurean prided himself on having no religious persuasions.[11] Such as the Academician possessed lay in the shadow of insecurity. In him faith was the conviction of helplessness. In the Epicurean it was

[9] Τὴν μὲν γὰρ εὐδαιμονίαν περιγίνεσθαι διὰ τῆς φρονήσεως. Sext. Emp., cited by Ritter et Preller, Hist. Phil. Gr. et Rom., Sect. 419.

[10] Cic., Acad. Post., I. 12; Pr., II. 21, 45; De Orat., III. 18. See Tennemann's Manual Hist. Phil., Sect. 168, or the authorities cited by Ritter et Preller, op. cit., Sect. 423–425, and notes.

[11] Compare what Cicero says of Epicurus, "balbutientem de natura deorum" (De Divin., I. 3), with the resolute verses of the Epicurean Lucretius, I. 63 *et seq.* v. 1197 *et seq.*

the conviction of irresponsibility. In the Stoic alone it was the conviction of accountableness and of power.

Porcius Cato was a Stoic. He had no mistrust of his abilities or of his duties. Firm as iron were the bonds that bound him to the religion and to the law of the past. Firm as iron was the will with which he clung to them. Philosophy enabled him to see, it enabled him also to hold the position in which he and all believing with him were placed. Pomponius Atticus, Cicero's correspondent and friend, Cassius Longinus, the competitor of Cicero and subsequently the murderer of Cæsar, were amongst the Roman Epicureans.[12] What they believed in was their right to act out their own impulses. Of the New Academicians Cicero was the great name. Into his faith we must examine more narrowly.

And, first, of his faith in gods. "Can we doubt," he asks, "but that there is some effective power to produce, or some governing power to rule what we see around us?"[13] "I confess that gods exist," he declares, "but tell me whence they are, where they are, and what they are."[14] This was belief in divinities. But it was virtually disbelief in the divinities of Rome.[15]

Much the same distinction is to be made between the faith which Cicero had in men generally, and that which he had in his countrymen particu-

[12] See Ritter's Hist. of Ancient Phil., Book XII. ch. 2.

[13] Tusc. Quæst., I. 28.

[14] An appeal put into the mouth of Cotta, De Nat. Deor., I. 23.

[15] "Au temps de Cicéron, les gens d'esprit croyaient plus ou moins aux dieux, aux dieux de Rome nullement." Champagny, Les Césars, tom. III. p. 261.

larly. The sketch of the perfect man by Cicero could have been drawn by none but a believer in humanity. He describes the ideal character in retirement, devoted to "the highest culture, ... to joy especially pure, to wisdom especially noble." "Suppose him to pass," continues the writer, "to his post as a citizen. What can be more glorious than his prudence, his justice, and his various virtues? Add the delight of friendship. . . . . What can such a life, I ask, desire to be happier?"[16] Painful is the contrast in the tone with which he writes of the men around him. "My house," he says, "is filled every morning. Every morning, accompanied by troops of friends, I descend to the Forum. But out of so great a number I find none with whom I can be familiar. . . . . There is a disposition to be true. But it wholly fails."[17] "I keep my way," he says again, "without defence or attendance. For, as the poet says, 'Some are but naught, and others care for naught.'"[18]

The faith which Cicero had in himself was fully as uncertain as that which he had in others. When a student in Greece, he went without much faith to ask the oracle at Delphi how he might win the highest fame. The answer was returned that he must follow his own nature rather than the opinions of the multitude.[19] It was an injunction which he could not fulfil. In the flush of triumph

[16] Tusc. Quæst., v. 25.

[17] "In republica vero, quamquam animus est præsens, tamen voluntas etiam atque etiam ipsa medicinam effugit." Ad Att., i. 18.

[18] Ib., i. 20.

[19] Plut., Cic., 5. Middleton discredits the story. Life of Cicero, Sect. i. p. 15.

or in the gloom of failure, he turned from himself to any who would hear or speak to him. "I am in want not merely of my property and of my friends," he writes from the exile into which we shall read of his being driven, "but of myself."[20] It was his want through life.

Such was the uncertainty of the faith which Cicero formed out of his philosophy. It recognized all that was great and good. It was the conception, he called it the knowledge "of things divine and human, the wisdom embracing the relation between gods and men, between man and man."[21] He fondly believed it to be "the parent not only of words, but of works."[22] "Every correction of our frailties and our sins," he says, "is to be obtained from philosophy. As in the time when the pleasure and the duty of my youth impelled me to throw myself into its arms, so now, in this season of great misfortune, I have escaped, after being tossed by dreadful storms, into the same haven from which I departed. O thou philosophy, the guide of life, the searcher after virtue, the router of vice, what were we or what were human life without thee?"[23]

Yet the faith so lauded was confessed to be unequal to the wants of its votaries. The moment that they engaged in active duties, philosophy, with all which it supported, was laid aside. "While public life," says Cicero, "while offices and engagements of various sorts occupied me, I left the pursuit of

[20] Ad Att., III. 15.
[21] De Off., I. 43.
[22] Brut., 93.
[23] And so on. Tusc. Quæst., V. 2. See Ib., I. 26.

philosophy to itself." Only when nothing else remained did he return to it. "Now," he continues, "pierced with the wounds of fortune, and freed from the cares of state, I seek a balm for my sorrow from philosophy, and I consider this to be an honorable gratification in my inactivity." [24] More than this it could not be. Nor was it even so much as this. "What have I had for a consolation," he writes, "in my loss of public honors and of private joys? Philosophy,[25] I suppose. To this I do have continual recourse. But this very philosophy, I know not how, seems to exclude me from the haven where I would be. It reproaches me, as it were, for lingering through a life in which there is nothing except the prolongation of time that is most wretched." [26]

A still more pointed avowal concerning the inefficacy of the later faith occurs in a letter to a friend mourning the loss of children. "No consolation," writes Cicero, "though urged by the wisest philosophers, seems so suitable to prevail with you as the condition of the state and this continuance of evil days. Happiest are they who have begotten no offspring. Less unhappy are they who have lost their offspring in these times, than if they had been bereaved in better times. . . . . If you grieve for the sufferings of the dead themselves, ... then I will say that one who has left behind the dangers impending over the Commonwealth, seems to me to be not at all a sufferer." [27] To this was

[24] Acad. Post., II. 3.
[25] "Literæ."
[26] Ad Div., v. 15.
[27] Ib., v. 16.

the philosopher reduced. He bowed himself before the universal hopelessness.

Upon his own school the clouds of doubt settled most heavily. "Let us entreat this New Academy," he exclaims, "this disturber of all things, to be still. For if it shall press on against what seems to us sufficiently established, it will cause too woful ruin."[28] In this despair the philosophy of Cicero ended.[29]

There are many reasons to account for the failure of the later faith. In the first place, it was confined to the few. The strength that would have come from the support of the many was disdained. "Philosophy is content," wrote Cicero, "with a chosen number of votaries. It makes a point of shunning the multitude, to whom, indeed, it is an object of suspicion and abhorrence. So that if any one would visit it all with censure, he can do so with the applause of the people."[30]

In the next place, the later faith brought no new inspiration to the few. All that it did was to take their nature as it was, and make it the basis of renewed endeavors after something higher. With the Academician, the Epicurean, and the Stoic, there was the same dependence upon merely human powers.[31] Consequently, the later believers were left

[28] De Legg., I. 13.

[29] "Thus anxious thoughts in endless circles roll,
Without a centre where to fix the soul:
In this wild maze their vain endeavors end.
How can the less the greater comprehend?
Or finite reason reach infinity?"
DRYDEN.

[30] "Est enim philosophia paucis contenta judicibus, multitudinem consulto ipsa fugiens, eique ipsi et suspecta et invisa: ut vel, si quis universam velit vituperare, secundo id populo facere possit." Cic., Tuscul. Quæst., II. 1.

[31] "Those fond philosophers that magnify
Our human nature." SHIRLEY.

exactly where they were found by their various schools. "So far am I," writes Cornelius Nepos to Cicero, "from imagining philosophy to be the mistress of life, and the perfectress of happiness, that I think none have more need of masters to teach them how to live than most of those engaged in philosophical pursuits." [32]

Philosophy came to the Romans as an alien. As such, they could not receive it with the cordiality which it required. No nation ever existed so generally imbued with hostility to all that was connected with foreign lands. If the feeling subsided, it generally left a waste of indifference. Cicero entreats his countrymen to take from the Greeks the philosophy which their hands were too feeble to hold.[33] It was an ingenious mode of phrasing his entreaty. But it fell unheeded by the great majority even of the few at Rome.

We have an illustration in the fortune of art. Of this the earliest models must have been derived from Etruria and subsequently from the Grecian cities in Southern Italy. As the Romans became the conquerors of countries wherein art had made its habitation, they grew rich in the paintings and the statues with the very existence of which most of them had been unacquainted. The conquered furnished their artists as well as their works of art to the conquerors. But the latter regarded the works

[32] "Video enim," he adds, "magnam partem eorum qui in schola de pudore et continentia præcipiant argutissime, eosdem in omnium libidinum cupiditatibus vivere." Ap. Lactant., Div. Inst., III. 15. See the reflections of Lactantius himself. Ib., III. 1.

[33] Tusc. Quæst., II. 2.

in the light of trophies and the workers in that of captives.[34] The instances of Romans occupying themselves with art are few and far between.[35] Not many of them cared even to see the pictures or the sculptures with which their city was overrunning.[36] When Lucullus threw open his libraries, which would now be called galleries as well as libraries, to the public, they seem to have been visited only by Greeks.[37] Far from there being any misgiving among the Romans in relation to the neglect of art, their tenderest poet exults in their devotion to other ends.[38] It is thus that the fortune of art illustrates the fortune of philosophy at Rome.

So feeble was the foundation upon which the Romans would have raised their later faith. Fall after fall of those who would have risen with it prove its insecurity and theirs.

At about the same time that Cicero was giving way, Lucretius Carus, the poet, lifted his voice to urge others on. He sang, he professed, that men might be released from the parting cords of the old religion.[39] Once freed from these, he believed

[34] Seneca ranks painters and statuaries with the "cæteri luxuriæ ministri." Ep. 88.

[35] Fabius Pictor has been mentioned. Decius was a statuary, and an unsuccessful one, of a later day. Plin., Nat. Hist., XXXIV. 18.

[36] "An approximate calculation of the plundered statues and images soon runs up to a hundred thousand." Müller's Ancient Art, Eng. transl., Sect. 165. See both Sect. 164 and 165 for a sketch of the pillage in Greece.

[37] Plut., Luc., 42. On these collections, see Winckelmann, Storia delle Arti, etc., lib. VIII. cap. 4, and XI. 1.

[38] "Excudent alii," etc. Æn., VI. 847 *et seq.* Cf. Hor., Epist., II. 1. 28 *et seq.*

[39] "Primum quod magnis doceo de rebus, et arctis
Religionum animos nodis exsolvere pergo."

De Rer. Nat., I. 930, 931.

that he and his fellow-disciples of the Epicurean school might construct their faith with ease. But what a faith! It denied the might of man in the same breath that abjured the might of the divinity.[40] "The walls of the universe crumble," chanted Lucretius. "Its movements I see through a vast void."[41] And the poet died in his prime by his own hand.[42]

The recklessness of Lucretius is reproduced in Catullus.[43] But the later poet stands far below the earlier. Lucretius labored. Catullus played. The one denied because he could not, the other merely because he would not believe. Lucretius threw off the old faith in order to lend his hand towards building the new one. Catullus was one of those content without either the new or the old. "I hate, and yet I love," he sings. "Why this, ye may inquire. I cannot tell."[44] It was the song of all who sank with him beneath the indifference of the age.

The signs given by the poetry are confirmed in the history of the times. Sallust[45] composed his narrations concerning the war with Jugurtha and the conspiracy of Catiline. If he wrote as the partisan of Cæsar, to whose favor he owed his own

[40] De Rer. Nat., II. 14 *et seq.* v. 1159 *et seq.*, VI. 49 *et seq.*

[41] "Mœnia mundi
Discedunt, totum video per inane geri res."
Ib., III. 16, 17.

[42] Somewhere about A. C. 55.

[43] Born of good parentage at Verona, A. C. 87, Catullus came to Rome at an early age, and lived until at least the year 47. Carm. LII.

[44] Carm. LXXXV.

[45] C. Sallustius Crispus, born A. C. 86, joined the party of Cæsar, enriched himself by the plunder of Numidia, and lived in great luxury at Rome until the year 34.

fortune, the historian could not have selected more appropriate subjects than the achievements of Marius in the war, and of Cæsar himself, who alone resisted the sentence of death upon the conspirators, during the insurrection. Nor could Sallust have chosen better in order to interest his contemporaries. The voyager upon roaring seas will listen to the stories of shipwreck with greedier ear than to the tales that would bring before him the home, the paths, or the flowers which he has forsaken. So the Romans in the midst of their convulsions would be pleased with the histories of warfare and of revolution far more than with those of order and of peace. Sallust is thus the historian of his own period as well as of that to which he actually refers. It is a period of waning faith that he portrays.

The weakness of the earlier allowed the construction of the later faith to be attempted. But the ignorance which enfeebled the one debilitated the other also.[46] "I asked the earth," wrote Augustine at a later day, when his turn for seeking the unknown had arrived, "I asked the earth; and it answered me 'I am not He.' And whatsoever things are in it confessed the same. I asked the sea and the deeps, and the living creeping things; and they answered, 'We are not thy God; seek above us.' I asked the moving air; and the whole air with its inhabitants answered, ... 'I am

[46] "Di giorno in giorno più di ben si spolpa,
E a trista ruina par disposto."
Purgatorio.

not God.' I asked the heavens, sun, moon, stars. 'Nor,' say they, 'are we the God whom thou seekest.' And I replied unto all the things which encompass the door of my flesh, 'Ye have told me of my God, that ye are not He; tell me something of Him.'" [47] To such an appeal, Augustine could receive an answer. There was none, unless it were vouchsafed in secret, for the ancient Romans.

Such was the decay of liberty in the world within them. Its decay in the world without them was inevitable.

> "For what is freedom but the unfettered use
> Of all the powers which God for use has given?
> But chiefly this, Him first, Him last to view,
> Through meaner powers and secondary things,
> Effulgent, as through clouds that vail His blaze!" [48]

[47] Confessions, x. 6. Oxford trans. Thomas Heywood has given a paraphrase of this passage in his "Hierarchy of the Angels."
[48] COLERIDGE.

CHAPTER XIII.

THE LABORING CLASSES.

"Non rammenti a qual eccesso
Il tuo orgoglio è un dì venuto?
Non rammenti il mondo oppresso
Quante volte fu da te
Ricomprato, rivenduto,
Ricalcato sotto il piè?"

FIORENTINO.

IT was decided. The liberty of such as had been free amongst the ancient Romans was decayed. But were there no others to rise up to liberty, and to delay its overthrow? The question must be resolved.

When he who had sinned in Eden was about to be driven from its portals, he received the sentence, "In the sweat of thy face shalt thou eat bread, till thou return unto the ground."[1] This doom to labor seemed to those among whom it was related, the severest judgment that could have been pronounced upon fallen man.

Others, without the tradition, regarded labor in the same light. From race to race the feeling spread

[1] Genesis, III. 19.

that the burden of toil was the heaviest upon humanity. On earth, the Heathen represented labor in the guise of an emaciated man. In their heaven, they allowed no deity of toil. Disease and sin of every description were canonized. But for labor there was no deity that could be imagined. The god who approaches nearest to being the god of labor, the smith of Etna, is portrayed as the butt of Olympus. Deformed in body, imbecile in mind, Vulcan excited the derision of mortals as well as of immortals.

In depreciating toil and those engaged in it, the Romans did but adopt the rule of all other ancient nations. The few exceptions, like those attempted by Solon and Numa,[2] confirmed the rule.

At the outset, the Romans were obliged to labor. Scanty in numbers and in resources, they would have perished but for the works of their own hands. It was not, however, as a right, but as a necessity, that labor was regarded by the warriors of the seven hills. "Nor would you have persuaded them," writes a later Roman concerning a race whose condition resembled that of his own race at an earlier period, "nor would you have persuaded them so easily to till the earth or await the harvest as to challenge their foes and cover themselves with wounds. For it would have seemed indolent and base to acquire with toil what they could win with blood. . . . . Better did they think it to keep their fortunes and those of others balancing in hope and fear, than to pant in the fields or to labor in their homes."[3]

[2] Vol. I. pp. 66, 147.

[3] Tac., De Mor. Germ., 14, 46.

So long as the Romans continued to be laborers, they labored for themselves. This was the advantage which liberty gave to them. The time arrived when liberty was considered as entitling its possessors not to labor at all.

Here, however, a distinction must be made between the different kinds of labor. In one sense, the warriors and the citizens of Rome were always laborers. But their political functions were accounted honors rather than toils. So were their intellectual occupations. Only the great citizen could be the great orator or the great statesman. All the historians, all the philosophers of any note belonged to the highest classes. The poet and the dramatist might be of lower rank. But as a general thing, the labors of the mind were such as the powerful alone could pursue. They were not therefore called labors, but prerogatives. It was the same with what may be styled financial labor. It was shared amongst the rich, that is, amongst the upper orders. The Publicans, the Knights, the Senators, who engaged in the moneyed operations of the times, considered their exertions to be any thing but labors. They were their privileges. Sometimes the endeavor was made to curtail them. It was always resisted. Speculations, though forbidden,[4] usurious dealings, though prohibited,[5] continued to be practised amongst the latest Romans.

Labor, in the Roman sense of the word, belonged

[4] As just before the war with Hannibal. See p. 33. "Quæstus omnis," says the historian, "patribus indecorus visus." Liv., XXI. 63.

[5] Vol. I. p. 261, and various later instances.

to the lower orders alone.[6] Of these some were free and others enslaved.

Only in the earliest age had free labor prevailed at Rome. The husbandmen and the artisans of the infant nation were rapidly released from their cares in consequence of the enormous influx of immigrants and captives. The Romans proper rose in the scale. Others took their places, and, becoming Romans also, rose in their turn. Every freeman that could extricate himself from the obligation to labor did so. Not every one, of course, succeeded in doing this by means that really raised him above his former position. Much the larger number of those who ceased to labor in the later times threw themselves into the class of proletaries.

This was no laboring class. On the contrary, its existence was owing to the contempt in which labor was held. But the effect of such a class upon the classes of free laborers is to be observed.

In the first place, it drained them of their numbers. Though the laborer sank in becoming the proletary, he preferred to do so, rather than struggle upon the surface. The moment that he gave way, he found himself one of a vast host provided with all that was absolutely necessary to sustain him. So that he found a lodging-place, he had nothing else to seek for besides the food, the largess, and the festival in which he participated by favor of his patron, or of the state ruled by his patron.[7] It was a tempting prospect for the laborer

[6] "Opificum vulgus," says Livy again. VIII. 20.

[7] See a memoir by M. Naudet, Des Secours Publics chez les Romains, Mém. de l'Inst., Ac. Insc. et B. Lett., tom. XIII. pp. 12 *et seq.*

of southern blood, impatient and yet indolent, conscious of power and yet doomed, while he labored, to powerless exertion. At the time which we have reached, the proletaries were reckoned by hundred thousands.[8]

In the next place, the presence of the proletaries told upon the spirits of the free laborers. Such as remained faithful to their avocations found these to be more despised than ever. The upper orders looked down with scorn upon men with the same rank with the proletaries.[9] The proletaries themselves had their jeers for the tame-spirited, as they would say, who preferred labor to largess, the workshop to the arena, Between those below and those above him, the free laborer could have had but little heart to labor on.

"This," says Cicero, "is what we have been taught to think concerning arts and trades. . . . . The employments in which men engage for hire, especially those requiring merely manual labor, are all base.[10] The pay received by such is the pay of the slave. Base, too, are they to be held, who buy from dealers what they are to sell again. . . . . In short, all workmen ply base callings. Nor can a workshop contain any thing that is free. Least of all are to be

[8] "En effet, il y avait déjà, avant Jules César, 320,000 citoyens qui recevaient gratis du blé de la république ; qu'on y joigne les femmes et les enfants en multipliant ce chiffre par trois seulement . . . . on trouve 960,000 oisifs, consommant et ne produisant pas." Dureau de la Malle, Écon. Pol. des Romains, tom. II. p. 222.

[9] "Misera ac jejuna plebecula," says even Cicero. Ad Att., I. 16.

[10] "We call those occupations base," says Aristotle, "which in any way injure the beauty of the body or are paid for ; since they take from thought its freedom and its grandeur." Pol., VIII. 2. Cf. Plato, Rep., lib. IX.

esteemed those occupations which minister to luxury. . . . . Such, indeed, as can boast of science for their means or utility for their end, like medicine, like architecture, like erudition in honorable knowledge, these occupations are honorable to those whose rank they befit. Trade likewise, however base upon a small scale, need not, if pursued on a large scale, be utterly despised. . . . . But of all pursuits from which gain is derived, nothing is better, nothing more profitable, nothing more agreeable, nothing worthier of a freeman, than agriculture."[11] What the Roman here means is explained in another passage devoted to the praise not of the toils, but of "the delights" of husbandmen.[12] The remembrance of the great men who had been said to till their fields at times with their own hands threw a halo over agricultural recreations. Over agricultural labors it could not.

Such were the views of the humanest Romans concerning labor. No marvel that it was shut in from the desires or the energies of freemen. The places which they would have held as laborers were occupied by slaves. Public slaves, as they were styled, were employed in the service of the state. Some served as workmen upon the roads and buildings, others as menials in the fleets or in the armies of the Commonwealth. Many attended upon the magistrates and their tribunals. A few attained to posts like those of jailers and executioners. On the other hand, private slaves were engaged in all the labors of town and of country. From the house

[11] De Off., I. 42.
[12] "Voluptates agricolarum." De Sen., 15.

to the field, from the factory to the library, were scattered bands of slaves toiling for their owners.[13]

The condition of the slave may be conceived. Like that of the slave in all countries, it had its bright and its dark side. Our object, however, is not to give an account of slavery, but of labor as it existed at Rome. Labor, then, despised by freemen, fell into the hands of slaves. Nothing less than a revolution could have taken it out again. Until then, labor, however contemned, had been pursued by men who could direct as well as execute in their toils. But the slaves to whom it was given over could only execute. Their masters alone directed.[14] In such circumstances, labor could not but descend lower than ever. With it, of course, the laboring classes likewise descended.

The objects for which labor was pursued throw additional light upon the classes by whom it was pursued. The last object of all was the acquisition of the necessaries of life. While food could be plundered or bought from the provinces, or even from foreign lands, it was not worth while for the slave or the freeman to toil for it at Rome.[15] Much more general was the toil for luxuries. These, too, could be obtained from abroad, but only in part.[16]

[13] Lists are in Blair's Inquiry into the State of Slavery amongst the Romans, ch. VI. See, also, Waller, Hist. de l'Esclavage dans l'Antiquité, Ptie. II. ch. III.

[14] "Où la classe libre et la classe esclave avaient toutes deux leurs fonctions: l'une dirigeant, l'autre exécutant; l'une était la tête, l'autre le bras." Moreau-Christophe, Du Problème de la Misère, tom. I. p. 383.

[15] See Columella's complaint, De Re Rust., lib. I. præf. 20.

[16] "Corn from Sardinia, herds of Calabrian cattle, meadows through which pleasant Liris glides, silks from Tyrus, and golden chalices to drown my health in," which Bishop Jeremy Taylor reprehends (Holy Living, ch. II. § 6) as "instruments of vanity or sin," would be but the beginning of the Roman's riches.

A certain amount of labor in the factory or the amphitheatre, the palace or the villa, was indispensable to the full enjoyment of what the luxurious Romans most prized. All the income, moreover, that could be derived from the toils of the bondman or the dependant went to purchase the indulgencies desired by the lord. Thus his caprices rather than his wants became the ends of those who labored for him. Thus, again, the inferiority of the laborers was confirmed. The class toiling for the necessaries of life has always been regarded as occupying a more independent position than the class toiling merely for luxuries.

Or the objects of labor may be observed from a more general point of view. Modern industry makes mankind its end. To feed, to clothe, or to gratify all who can command their various productions is the purpose of the great producers in our days. But it was not so in the days of the Romans. Their producers had individuals in their eye. Their laborers toiled for the single citizen, the single city. With objects so limited, the laboring classes were necessarily confined within narrow bounds.

Taking the bondman and the freeman together, of whom the laboring classes were composed, and we see men equally dependent. Only he who was beyond the necessity of labor, in the Roman sense, was, in the Roman sense, free. From this point our inquiry started. To this it reverts. Freedom from labor with the ancient Romans was liberty.

How far the members of the laboring classes could attain to this liberty has been told. If they

were free in name, they could become free, as they deemed it, in fact, by enrolling themselves amongst the proletaries. The slave could not attain even to this emancipation. To any higher position there could be no ascent unless the laborer was assisted by those above him.

One class of those on whom he might think it possible to rely for assistance was that of the wealthy. We can see more plainly how the wealthy gained and how they employed the means with which they might have assisted their inferiors. Let the biographer tell his own story concerning Crassus Dives. "When he took an account of his property," says Plutarch, "he found the amount to be seven thousand one hundred talents. The greater part of this, if the truth must be told to his disadvantage, came from fire and war, inasmuch as he turned the public calamities to his own great gain. When Sulla, after having taken the city, sold the property of his victims, ... Crassus was continually receiving or buying. Moreover, observing the troubles that were peculiar to Rome, the fires and the falls that took place on account of the size and number of the houses, he bought slaves who were architects and builders. When he had more than five hundred of these, he bought up whatever was burned or near to what was burned. . . . . Thus the greater part of Rome came into his possession. . . . . Still none of his property, whether mines, land or laborers, could be compared with the value of his slaves, so many and so good ones had he purchased, readers, amanuenses, assayers, stewards,

and servants. . . . . He used to say that nobody was rich who could not support an army."[17] Of this vast fortune what could go to assist the laborer to rise? Was he not the slave, or, if the freeman, still bound, hand and foot, to the service of the rich man?

The intellectual class at Rome seems to have promised more. "One thing," says Cicero, "ought to be set before all men, namely, that the good of one is the good of all."[18] "And we are to remember," he remarks, "that justice is to be observed with regard even to the lowest. . . . . If their labor is required, their rewards ought to be granted them."[19] How much the man of intellect was willing to grant to the man of toil has already been shown in the words of Cicero.

The political class not only promised, but, to a certain degree, performed. Yet the relief proceeding from the Roman rulers to the Roman laborers will not bear being put to the test. It is found to have been wasted upon the proletaries. To such an extent was the succor to the latter carried, that none remained to be bestowed upon the laboring classes. Any of these who shared in the bounties provided by the magistrates or the state did so not as laborers, but as proletaries. The injustice thus done to the laborers was far from being unnoticed. But though an occasional act was passed in their favor, they were never substantially relieved. The prole-

[17] Plut., Crass., 2. Cf. the account which Cornelius Nepos gives of Atticus. Att., 13.

[18] De Off., III. 6. So I. 16.

[19] "Operam exigendam, justa præbenda." De Off., I. 13.

taries continued to maintain their precedence over the laborers both bond and free. It was so because the proletaries, as the mass of freemen, required the greater consideration from the few who ruled at Rome.

We need not look far to account for the want of aid extended towards the laboring classes. Between them and those above them there was no link of what has since been known as charity.

On the contrary, division reigned between the superior and the inferior. In life and death the distinction of one class from another continued. The rich man went clad, for instance, in the toga. The poor man wore the tunic.[20] He sat in lowly places looking up to the rich alike at the festival and at the tribunal. In the shade of the latter's palace, the poor had the street or his scarcely more comfortable lodging for a home. His struggles over, he was carried forth by night as if his burial were a disgrace to the city. Magnificent were the obsequies of the great. Lictors, clad in black, led forth the funeral procession, followed by minstrels with rude instruments, wailing women, buffoons, and slaves emancipated by their master's testament, together with his relatives of either sex, whose duty or whose will it was to mourn the dead. Between the mourners and the attendants, the corpse, decked in the lordliest attire, was borne upon a splendid couch, in front of which appeared the crowns or insignia belonging to the hero or the dignitary in life. But

[20] Hence the "tunicatus popellus" of Horace. Epist., I. VII. 65.

the especial feature of the long array, as it swept from out the palace into the Forum where the eulogy was pronounced, or to the pile on which the body was consumed with perfumes and to the ringing of weapons in the hands of gladiators, was the representation of the ancestors of the departed before his bier. Their images or masks, in wax, and their official and military robes, worn by men moving with the procession, listening to the eulogy, and witnessing the flames of the pile, imparted dignity to the funeral ceremonies.[21] It seemed as if the great of preceding generations were recalled that they might receive their descendant into the silence of the past.

The question proposed at the beginning of the chapter is answered. There could be none to rise and save liberty from overthrow at Rome.

[21] Festus, s. v. Vespæ. Dion. Hal., IV. 40. See the whole subject, here barely touched, treated with great minuteness by Dezobry, Rome au Siècle d'Auguste, Lettre LXIII.

BOOK V.

PERIOD OF OVERTHROW.

A. C. 60–A. D. 14.

"From a variety of concurring accounts, it appears to me that the political concerns of this country are, in a manner, suspended by a single thread."

WASHINGTON *to Patrick Henry*, 24th Sept., 1787.

BOOK V.

PERIOD OF OVERTHROW.

CHAPTER I.

CÆSAR CONSUL.

"The Romans had reason to dread that the disjointed members would soon be reduced . . . . under the dominion of one master."

GIBBON, *Decline and Fall*, Ch. 6.

THE day of doom was approaching. Again and again had the ancient races made their submission to the Romans. Again and again had the Romans submitted to a faction or to an individual amongst themselves. It remained only that their subjection should become confirmed.

For this the star of Julius Cæsar rose. Above all others of his nation he was formed not only to take the sovereignty unto himself, but to establish it as the rule that one man must be sovereign at Rome. No Roman had ever made himself so entirely his own law.[1] No one ever resolved so unblenchingly to make himself the law of others likewise.

[1] This was the real "proprius vigor" of which Pliny speaks. Nat. Hist., VII. 25.

From one point of view, his motive seems to have been nothing else than the determination to indulge his passions. There was a time when he lacked an enormous sum, as he said, "to be worth nothing."[2] He would receive the billets-doux of his mistresses, the noblest matrons in Rome, while he sat amongst their brothers or their husbands in the Senate.[3] So careful was he even of his appearance, that Cicero declared a man of such nicety about his hair could never think of overthrowing the Commonwealth.[4] But from another point of view Cæsar appears to have been, as he really was, aiming at the supremacy as the means of showing forth his powers. His boast was to have sprung from kings on the mother's side, and on the father's from the immortal gods.[5] His shame was that he had done nothing to be compared with the exploits of such as Alexander.[6]

Born and bred as Julius Cæsar was to rule amongst his countrymen, he did not rise unopposed. Others considered themselves entitled to the mastery as well as he. His strife with them and its consequences fill up the period in which the liberty of the Romans was overthrown.[7]

The strife began with negotiations. On returning from his administration as Prætor of Spain, where he had amassed a wonderful fortune,[8] Cæsar decided

[2] App., Bell. Civ., II. 8.

[3] Plut., Cat., 24.

[4] Id., Cæs., 4. Cf. Suet., Cæs., 45.

[5] Suet., Cæs., 6. Vell. Pat., II. 41.

[6] Plut., Cæs., 11. See also Suet., Cæs., 7.

[7] "Ed ecco innanzi a' pensieri aprirsi volume vasto, immenso, scritto col sangue romano." Verri, Notti Romane, Coll. III.

[8] Plut., Cæs., 12.

to ally himself with some of the more prominent personages at Rome. Pompey, just then, was in such a state of irritation against the Senatorial leaders as to lend a willing ear to Cæsar's proposals. Crassus, valuable for his wealth and still more for his ancient enmity to Pompey, was also gained over by Cæsar. The covenant thus formed was afterwards called the First Triumvirate.[9] Three in number, the Triumvirs were but one in will.[10] The subordination of Crassus was settled at once. That of Pompey was at once prepared. "The winds," as Cicero had written, "were fair for Cæsar."[11]

He had already declared himself a candidate for the consulship.[12] The whole weight of the Triumvirs, brought to bear upon the election, soon decided it in favor of Cæsar. He was then forty years of age. "Gayly," writes Cicero, "and with less noise than I had supposed, has this gyration in the state been accomplished, more speedily by far than could have been anticipated. . . . . You may set me down as having learned nothing from experience, unless you see those times of ours regretted within a brief season. For if the power of the Senate was odious, what do you think will be the case with the same power transferred not to the people, but to three unbridled men?"[13]

The lover of liberty did not keep his peace. On

[9] A. C. 60. "Conspiratio." Liv., Epit. CIII. App., Bell. Civ., II. 9. Dion Cass., XXXVII. 57. Plut., Cæs., 13; Pomp., 47; Crass., 14.

[10] The motives of the different Triumvirs are variously described in the old authors: e. g. Flor., IV. 2; Vell. Pat., II. 44; and as before.

[11] Ad Att., II. 1.

[12] For A. C. 59.

[13] Ad Att., II. 9.

the arraignment of his former colleague Antonius for oppression in the Macedonian province, Cicero assumed the defence. It was to denounce the state of public affairs.[14] The Triumvirs, or rather Cæsar, instantly took measures[15] which Cicero understood as intended to command his silence. He yielded so far as to retire to one of his villas. Thence, however, he wrote in the same tone in which he had spoken at Rome. "What you say about the silence in the city," he remarks, "is what I expected. . . . . But we in the country are not silent. Nor can the country itself bear the oppression under which you stoop. . . . . How great the odium in which our friend the Great," that is Pompey, "stands! That name of his is sinking with the name of Crassus as the Rich. No one, believe me, sensitive to this state of affairs, bears it so quietly as I do. We must philosophize."[16]

He returned to Rome. "We are hemmed in," he presently writes, "on all sides. Nor do we now refuse to be slaves. Rather do we dread death and exile as greater evils, though they be lesser ones. And this state, bewailed by the voice of all, is not relieved by a word from any one. . . . . I bear myself not meanly, considering the universal oppression, but not at all bravely, considering all that I have done."[17]

Again he embraced the opportunity to utter his

[14] "Deplorante temporum statum." Suet., Cæs., 20. Cicero afterwards attempted to soften down his denunciation. Pro Dom., 16.

[15] In carrying the adoption of Clodius. See the next chapter.

[16] Ad Att., II. 13.

[17] Ib., II. 18.

sentiments. One who had been Prætor when Cicero was Consul now sought him as a defender against the charge of misgovernment in Asia. Cicero defends him as if conscious of his guilt. But from the case on trial the orator rises to the consideration of questions in which his hearers were all concerned. "Am I to say nothing," he begins, "about the safety of all of us, about the fortune of the state, about the highest interests of the Commonwealth? All this, O judges, ye are bearing on your shoulders, yea, on your own shoulders in this trial. Ye see in what movements, in what changes and perturbations we are involved. . . . . I myself am set down for a trial. Charges against me are in preparation. Perils are in progress. . . . . And if any one arraigns me, I shall appear. Not merely do I not refuse, but I demand the Roman people for my judge. Only let violence be prevented; let steel and stones be kept off; let hirelings be excluded; let slaves be still. No one who hears me, provided he be a freeman and a citizen, will be so unjust as not to discuss the rewards rather than the punishment due to me. . . . . Ye are to judge," he repeated, "about yourselves and your Commonwealth." [18]

Meanwhile, Cæsar had been carrying all before him. From the first, he had undertaken to raise himself above his associates in the triumvirate. It seemed as if he was already successful. Crassus appeared unable, Pompey appeared undesirous to

[18] Pro Flacco, 38, 39.

keep pace with their resolute confederate. Pompey, gratified at once by the ratification of his proceedings in the East, withdrew to comparative retirement in the home where he installed his new-married wife, Cæsar's daughter Julia.[19]

All the time, Cæsar was pressing forward. One of his moves was to procure the passage of an Agrarian law, appointing twenty commissioners to divide the Campanian domains of the Commonwealth among twenty thousand citizens.[20] Of this number a large part, it is said, consisted of Pompey's soldiers, who thus became more attached to Cæsar than to their former hero. Others, besides the troops, who shared in the lands were thenceforth equally bound to Cæsar's cause. So resolute a leader would not seek the support merely of the middle or the lower orders. On the contrary, he made it a chief point to increase his partisans amongst the higher ranks. At his proposal, the Publicans were relieved from the obligations of a contract relating to the Asiatic revenues.[21] The great majority of the Knights were thus conciliated.

The Senators alone contended against the Consul. He could do them no favor that they would then accept at his hands. He could do them no wrong, as they thought, that he did not inflict upon them. They had managed to procure the election of one of their number, Calpurnius Bibulus, as Cæ-

[19] Plut., Pomp., 47, 48; Cæs., 14; Dion Cass., XXXVIII. 4, 5.

[20] Dion Cass., XXXVIII. 1. Suet., Cæs., 20. Cic., Ad Att., II. 16 *et seq.*

[21] Cic., Pro Planc., 14. App., Bell. Civ., II. 13.

sar's colleague. But after vain resistance, Bibulus shut himself up in his house, where, as Cæsar would not convene them, the Senators met in retirement. Cæsar fulminated an ordinance against them, directing all proceedings of theirs to be made public.[22] If they attempted offensive measures, he was on his guard. Surrounded by magistrates, voters, and bravos[23] obedient to his nod, the Consul defied his adversaries. Their leader, Bibulus, was virtually annihilated. It was "the consulship of Julius and Cæsar,"[24] in the phrase of those who liked to jest amidst impending fears.

At or before the beginning of this redoubtable consulship, the Senate, by whom the assignment of the provinces was annually made to the different magistrates, put upon Cæsar the charge of the Woods and the Roads, as the meanest of all the appointments within their sphere.[25] It was apparently a part of their policy to provoke him; it was certainly a part of his to triumph over them. One of the Tribunes, engaged in his service, soon brought a resolution before the Tribes to the effect that Cæsar should have Illyria and Cisalpine Gaul as his provinces, with the command of three legions, not for the usual term of a twelvemonth, but for five years. To this the Senate, in great trepidation at the hostility which they had provoked so fruitlessly

[22] The same was to be done with the proceedings of the popular assemblies. Suet., Cæs., 20.

[23] App., Bell. Civ., II. 10.

[24] "Julio et Cæsare Consulibus." Suet., Cæs., 20. Which, as the Lemaire editor remarks, is the same as the French "consulat de Napoléon et de Bonaparte." See Dion Cass., XXXVIII. 8.

[25] Suet., Cæs., 19.

to themselves, added the command of another legion with the province of Transalpine Gaul, also for five years.[26] It was the grant of Transalpine Gaul which furnished to Cæsar the most effectual instrument towards the accomplishment of his designs. "I have got," he said, "what I most desired."[27]

With this he departed. His return was sure, if he lived, to be made in triumph. "What more?" writes Cicero. "Why, that we may be certain of all being lost."[28] Wherefore," he writes again, "should I communicate any details to you about the state? It is destroyed."[29] "Nothing," he reiterates, "can be more hopeless than the Commonwealth."[30]

[26] Suet., Cæs., 22.
[27] Id., ib. See Plut., Cat. Min., 33.
[28] Ad Att., II. 19.
[29] Ib., ib. 21.
[30] Ib., ib. 25.

CHAPTER II.

CLODIUS AND MILO.

"Sanguinaria juventus."

CICERO, *Ad. Att.*, II. 7.

THE conduct of Cicero could not but have offended Cæsar. He was not sufficiently formidable to provoke direct chastisement from Cæsar's hands.[1] But Cæsar took care to place an avowed enemy of Cicero in a position from which the murmuring statesman could be effectually assailed. The enemy was Publius Clodius Pulcher. His name, with that of his principal antagonist, Titus Annius Papianus Milo, may serve to introduce a sketch of the scenes through which Roman liberty was staggering to its overthrow.

Clodius was a younger son of an Appius Claudius, and therefore of the highest family. His manhood opens with a series of commotions excited by him amongst the troops with whom he served in the East. On returning to Rome he entered the lists in which he thought the hottest strife might

[1] Cæsar had offered him a commissionership under the Agrarian law and a lieutenancy in Gaul. Cic., Ad Att., II. 19.

be found, declaring himself the prosecutor of Catiline. Bought off at once, he next set out for Gaul, whence, when wearied with practising extortion upon the provincials, he returned to pursue his turbulent courses amongst the Romans. The historian characterizes Clodius as "shrewd, daring, and ignorant of all other restraint in speaking or acting but what he saw fit to observe."[2]

He dashed on almost unhindered. Involved by an intrigue in the violation of the mysteries connected with the worship of the Bona Dea, Clodius was brought to trial. The case was as clear as the noon-day. But of fifty-six judges, thirty-one united in rendering a sentence of acquittal. "You ask me," writes Cicero, who had urged the condemnation of Clodius, "what occurred at the trial, that it should have turned out so differently from the universal expectation. . . . . The reason of the acquittal must be found in the indigence, the baseness of the judges. . . . . No sooner had they taken their seats, than good men began to be greatly uncertain as to the result. A baser set never gathered round the gaming-table. They were degraded Senators and Knights, with Ærarian Tribunes of the lowest stamp. A few good men, whom he could not reject, sat sad and apprehensive of contagion amidst the rest so little like to them."[3] From such a body there could come no verdict opposed to such as Clodius. Assured, thencefor-

[2] Vell. Pat., II. 45.
[3] Ad Att., I. 16. This was in A. C. 61.

ward, of impunity, he pursued a career more mad than ever.

After a twelvemonth's quæstorship in Sicily, Clodius came back to Rome. Whatever designs, whatever impulses he may have been intent upon carrying, he saw but few who would, few who could withstand him. To those who had the power of impeding his purposes, he resolved to make himself important enough to command their countenance. Upon those who had merely the will without the ability to hinder him, he determined to fall with irresistible violence. Chief of the latter was Cicero. Chief of the former were Pompey and Cæsar.

The support of those in power was easily obtained by Clodius in his long-projected assault upon Cicero. In an assembly presided over by Pompey, Cæsar, as Consul, proposed a bill authorizing the adoption of Clodius into a Plebeian house. The step was necessarily taken before he could advance to the ground on which he wished to post himself as Tribune. Notwithstanding the irregularities attending the proposal of the bill, it was carried.[4] Clodius became the adopted son of a youth not yet twenty years of age, with the help of whose name, under the protection of Cæsar, he was shortly afterwards declared Tribune.[5]

As soon as he had secured himself in his new position,[6] the Tribune opened his fire upon Cicero.

[4] Cic., Pro Dom., 13 *et seq.* Dion Cass., XXXVIII. 10 *et seq.*

[5] A. C. 59 for 58.

[6] By various measures in favor of the lower and in opposition to the higher orders. See the enumeration in Dion Cass., XXXVIII. 13; and compare Cic., In Pis., 4, 5. Or see Merivale's Hist. of the Rom. under the Empire, vol. I. pp. 201 *et seq.*

"This is the state of the case," the latter had already written. "He," meaning Clodius, "is flying about, raging, wavering, threatening many and bidding fair to do whatever opportunity shall allow. When he sees in what odium the present condition of affairs is held, he seems about to make his onset upon those who have brought things to this pass. But when he recollects their power and the might of their soldiers, he turns against me. Me, indeed, he threatens with both violence and prosecution. . . . . If he did not, I should put no trust in him, but should get every thing ready, as I do, to defend myself."[7] A bill was soon brought forward to banish such as had put a Roman citizen to death without trial.[8] It was aimed at Cicero on the ground that he had advised the summary execution of those connected with Catiline.

Remembering what manner of man Cicero would have been under holier influences than those acting upon him, we shall not wish to read of the miserable feebleness with which he cowered before Clodius. It may be said in his excuse that he could see Cæsar, behind Clodius, waiting with troops and lictors outside the walls. Nor was there but one[9] of those affecting to uphold Cicero, who counselled him to be firm. The rest united in advising him to yield. He withdrew into exile, followed by a law declaring him banished until the conspirators whom he had executed should be restored to life.[10] Not

[7] Ad Att., II. 22.

[8] Digest., lib. XLVIII. tit. I. 2. With Cic., Ad Att., III. 4; Plut., Cic., 32; Vell. Pat., II. 45.

[9] This was Lucullus. Plut., Cic., 31.

[10] Post Red. in Sen., 2. Plut., Cic., 32. The house of Cicero upon

until Cicero was driven away, did Cæsar set out for the North.

He left in Clodius one upon whom he could count, if not for support to himself,[11] at least for opposition to others. The Tribune soon broke out in hostile measures against Pompey, whose partisans he braved in frays by no means bloodless. A slave of Clodius was detected in circumstances implying an attempt upon Pompey's life. Thereupon the Triumvir barricaded himself in his house, where he spent the remainder of the year in absolute seclusion.[12]

Meanwhile, some vain exertions were made to bring about the recall of Cicero. At the expiration of Clodius's tribunate,[13] they were renewed, at first in the Senate, and then before the people. Clodius had ceased to be a magistrate; but he had not ceased to be a combatant. On the day appointed by Quintus Fabricius, the Tribune, to take the votes of the citizens concerning Cicero, Clodius filled the Forum with his armed bands. Fabricius and another Tribune were driven off, while numbers of their partisans were wounded and slain.[14]

Amongst the colleagues of the baffled Fabricius was Annius Papianus Milo. The two former names

the Palatine and his villa at Tusculum were plundered by his adversaries. The house upon the Palatine was then razed to the ground. See the Orations, Post Reditum and Pro Domo.

[11] Clodius was far from supporting Cæsar at all times. See Cic., De Har. Resp., 23.

[12] Plut., Pomp., 48, 49. Cic., In Pis., 12.

[13] A. C. 57.

[14] Quintus Cicero, the exile's brother, saved his life only by hiding beneath the corpses of the fallen. Cic., Pro Sext., 35.

were those of the houses from which he descended.[15] The last name, by which he is best known, appears to have been won by him as characteristic of his mingled prowess and brutality. He does not appear to have achieved any other distinction before obtaining the tribunate at Rome.

Such a man was fit to be a match for Clodius. Him Milo, "embracing," as Cicero phrases it, "the cause of the Commonwealth,"[16] accused of disturbing the public peace. But it no sooner appeared that Clodius could not be brought to trial, than the champion of the law himself took up arms. Collecting a troop, chiefly of gladiators, Milo sallied forth almost daily to the encounter of Clodius and his partisans.[17] "It was to the highest honor of Milo," says Cicero, "that he purchased his gladiators to support the cause of the Commonwealth."[18] Tottering was the cause which such as Clodius could bring into peril or such as Milo be deemed necessary to defend.

Cicero had reason to speak warmly of Milo. For it was he whom Pompey may be said to have employed in achieving the restoration of the exile.[19] Pompey had a twofold motive to favor the recall of Cicero. To bring him back was to put a check upon Clodius, on the one side, and on the other, a slight upon Cæsar.[20] It suited Pompey to do

[15] He was born at Lanuvium.

[16] "Adiit ad rempublicam." Pro Sext., 40.

[17] Dion Cass., XXXIX. 7.

[18] De Off., II. 17.

[19] "Sera Cn. Pompeii cura . . . . virtute atque actione Annii Milonis." Vell. Pat., II.45.

[20] He made a show, however, of consulting Cæsar about it. Cic., Ad Att., III. 18.

both. But what the great man willed, he could not now execute. Not citizens, not even rulers were in power. Gladiators, ruffians, and their chosen leaders were the masters of Rome. It was for Milo or for others like him to carry out the behest of Pompey, or it would not be carried out at all. Amidst bloodshed "throughout the city," [21] the sentence against Cicero was declared to be repealed.

Seventeen months had he passed in wretched uncertainty, dreading alike what was passed and what was to come.[22] "Brought back," as he declared, upon the shoulders of Italy," [23] he promised that "of his former fortitude in defending the Commonwealth nothing should be wanting, nay, that there should rather be more of it than ever." [24] Within two or three days after his arrival, he proposed the investiture of Pompey with plenary authority in relation to the public supplies of grain. Pompey in return appointed Cicero his chief lieutenant, "declaring," says the delighted orator, "that I should be his second self." [25] "They shall not overthrow me," exclaimed Cicero, "now that I am restored, as they did before. . . . . I am ashamed of having suffered myself to be alienated from such a friendship," meaning that of Pompey.[26] Not thus, however, would Cicero defend the Commonwealth.

[21] Καὶ σφαγαὶ κατὰ πᾶσαν, ὡς εἰπεῖν, τὴν πόλιν ἐγίγνοντο. Dion Cass., XXXIX. 8.

[22] "Me valde pœnitet vivere." Ad Att., III. 4. His expressions are stronger still in another letter, III. 7.

[23] Ad Quint. Frat., X. 1. "Incredibili concursu Italiæ." Ad Att., IV. 1. See the oration Pro Sext., 60, 61.

[24] Post Red. In Sen., 8.

[25] Ad Att., IV. 1.

[26] Pro Dom., 11.

Clodius had welcomed the returning exile with fire and sword. Cicero was not the man to resist. "I esteem dieting better than surgery," he writes,[27] meaning that he could not bring himself to the use of assassins or gladiators. Clodius turned to seek fiercer game in Milo. The strife between them was a civil war upon a small scale. "I send you rare news," pursues Cicero, in relating the movements of the opposing parties. "Clodius, if he be not killed, will be brought to trial by Milo. If he come in the way, I see that he will be killed by Milo himself. About doing this Milo does not doubt; he is determined." [28]

Thus wore away the term for which Milo had been elected Tribune. The ensuing year brought Clodius his turn of office in the ædileship. He was but just elected when he arraigned Milo on the same charge which Milo had brought against him as a disturber of the public peace.[29] The trial began; but it was soon interrupted by the violent proceedings both of the accuser and of the accused. Pompey appeared to testify in Milo's behalf.[30] Yet the words of the highest were of less avail than the blows of the lowest on such a trial. Cicero, who would gladly [31] have defended Milo, would not run the risks which he was sure of encountering, but from which no advantage was sure of being derived. "What can be viler," Cicero wrote, "than our lives,

[27] Ad Att., IV. 3, where an attack of Clodius upon Cicero in the Via Sacra is described.

[28] Ad Att., IV. 3.

[29] Cic., Pro Sext., 44.

[30] Cic., Ad Div., I. 5. Ad Q. Frat., II. 3.

[31] He plumes himself at this time, "de Milonis familiaritate." Ad Div., I. 7.

especially than mine? . . . . If I speak what I ought concerning the Commonwealth, I am considered mad; if what I must, servile; and if I am silent, I am said to be entrapped and overwhelmed." [32]

One convulsive effort he made to redeem himself by proposing the repeal of the agrarian law which Cæsar had carried in his consulate. It was in vain. The next harangue of Cicero was to advocate the claims of Cæsar to retain the provinces of which he then held possession.[33] "As to your question concerning the condition of the Commonwealth," wrote the orator, "our dissensions are at their height. But the strife is wholly unequal. They who command the most of wealth, of arms, of power, seem to me to have so profited by the folly and the inconstancy of their adversaries, as to command the most of credit likewise. . . . . The state of the Commonwealth gives me no satisfaction." [34] "What I had proposed to myself," Cicero presently confessed, "the honor in which I had hoped to give my votes and the liberty in which I had hoped to bear my dignities, these are taken away, and not more from me than from all. For I must either submit without spirit to the few who rule, or I must oppose them without effect. . . . . There is no ground for attempting to maintain the consular bearing of a firm and consistent Senator." [35]

All this was true. On the one hand were the

[32] Ad Att., IV. 6.

[33] See the Oratio De Prov. Consularibus.

[34] Ad Div., I. 7.

[35] Ad Div., I. 8. See, also, the next letter in the collection.

Triumvirs, fresh from an interview at Lucca, where they had renewed and extended their agreements.[36] Crassus and Pompey soon entered upon the consulship. Cæsar succeeded in having the term of his proconsulship doubled, besides obtaining a grant of money for the payment of his troops, so that his spoils were free for other uses. Pompey, however, was no less satisfied on receiving Spain and Africa for five years, while Crassus was invested with the command of Syria, that is, of the East.[37] There, a year or more later, he perished in an expedition against the Parthians.[38] His death left Pompey and Cæsar face to face.

Opposed to them were the divided leaders of the party nominally existing amongst the higher families. Such as Porcius Cato, if there was any other like him, lacked neither the courage nor the integrity to defend what they deemed the right. But the want of prudence on his own part, as well as that of support on the part of others, prevented Cato from being a successful champion of his cause. He alienated those most likely to be on his side, as when he separated himself from Cicero to maintain the validity of what had been done by Clodius as Tribune.[39] Against those on the opposite side he

[36] On the frontier of Cæsar's southernmost province. Two hundred Senators, with one hundred and twenty lictors, says Appian, were gathered there. Bell. Civ., II. 17. So Plut., Cæs., 21; Pomp., 51. This was in the spring of A. C. 56.

[37] A. C. 55. See preceding references, with Dion Cass., XXXIX. 25–33; Liv., Epit. CV.; App., Bell. Civ., II. 18.

[38] A. C. 53. Plut., Crass., 16 *et seq.*

[39] Cato wished to maintain it, on account of his mission to Cyprus, to be noticed in the next chapter. Plut., Cat., 40; Cic., 34. Dion Cass., XXXIX. 21, 22.

took a course by which their position would be only strengthened, as when he proposed to deliver Cæsar over to the Germans.[40] Cato did little but waste the powers which he obtained as Prætor.[41] He did not even obtain those which he sought as a candidate for the consulship.[42]

Behind Cato may be descried the scattered figures of others opposed to the powers that were. At one time, in the Senate, at another, in the Forum, now with arguments, now with menaces, and now with blows, they rise asserting the rights which they perceive to be assailed.[43] But the look which most of them wear is any thing but that of citizens struggling for their liberties. Intriguers and conspirators, brawlers and murderers, compose the larger portion of the groups to be discerned. The interests at stake are those of the day. Those of the age are set aside. The wants of the nation, those even of the order are forgotten amidst the passions and the exigencies for which men hazard all.

"The Consuls," writes Cicero in the year of Cato's prætorship, "are covered with infamy. For Caius Memmius, the candidate for the next year, has informed the Senate of the contract which he and his fellow-candidate, Domitius Calvinus, had made with the Consuls." The Consuls were Appius Claudius Pulcher, the eldest brother of Clodius, and Domitius Ahenobarbus, a brother-in-law of Cato. The latter

[40] Plut., Cæs., 22. See Id., Cat., 51.

[41] A. C. 54. Plut., Cat., 44.

[42] A. C. 52 for 51. Id., ib., 49, 50. Dion Cass., xv. 58.

[43] See the anecdotes in Val. Max., VI. 2. 4 – 6.

was a prominent leader of the opposition to Pompey and Cæsar. His colleague, Appius Claudius, went neither for nor against them so much as with his brother Clodius. Both the Consuls were men to make themselves their first objects. Of the two candidates, Memmius had lately attached himself to Cæsar, while Calvinus was a wavering partisan on the other side. "These," pursues Cicero, "agreed to bind themselves in the sum of four hundred sestertia to bring forward, should they be elected, three Augurs as witnesses to the passage of a law never passed; likewise, two Consular Senators who would declare that they had been present at the assignment of the provinces to the Consuls."[44] In other words, the Consuls promised to aid the candidates in their canvass, on condition that the candidates would secure to the Consuls the provinces and the outfits which the latter desired.[45] The disclosure of the coalition cost Memmius his election. Nor were any candidates chosen until some time had elapsed in general confusion. Domitius Calvinus, obtaining the support of Pompey, was one of the two finally elected. Of the other party to the coalition, Domitius Ahenobarbus appears to have lost his province. But Appius Claudius, "without waiting," as Cicero remarks, "for any law,"[46] assumed the government of Cilicia.

Such were they who professed to be the freemen

[44] Ad Att., IV. 18. See, also, 15, 16.

[45] Prosecuted for bribery, he was obliged to go into exile. Cic., Ad Q. Frat., III. 2. Ad Att., VI. 1.

[46] Ad Att., IV. 16. Ad Div., I. 9. Cicero writes to Appius, in Cilicia. Ad Div., III. 1.

of Rome. It was no marvel that some amongst them should prefer to profess themselves the subjects of those who could rule them. In the same year that Memmius and Domitius sought the consulship, Lucceius Hirrus was a candidate for the tribunate. It seems to have been well known that he intended to do all he could to make Pompey Dictator.[47] "He is getting ready," writes Cicero, soon after the election of the Tribune. "There are many to interpose. But the people is indifferent, though the higher citizens are opposed. I keep quiet." [48] Hirrus soon brought forward a bill, investing Pompey with the dictatorship. So earnestly, however, did Cato oppose the bill, that it failed.[49]

It was about this time that Clodius came forward to obtain the prætorship.[50] Milo simultaneously appeared as a candidate for the consulship. Some two or three years were past since either had held office; and it was with all the greater vehemence that they now preferred their claims. The weapons that had never been laid aside were again displayed. The troops that had never been disbanded were again paraded. Clodius assumed the offensive, attacking not only Milo, but all by whom he suspected Milo of being favored. On the other hand, both of the competitors with Milo for the consulship donned their arms to fight under the lead of Clodius. The battle was not confined to blows.

[47] Cic., Ad Q. Frat., III. 8.

[48] Id., ib., III. 9.

[49] Plut., Pomp., 54. Dion Cass., XV. 45.

[50] Therefore A. C. 53.

Clodius assailed his adversary before the Senate, and with such effect, that Cicero broke his long silence to defend the accused.[51] Yet there was no hope of deciding the strife otherwise than by violence. The enmity between the antagonists had reached a point at which one or the other must perish.

It was Clodius who fell. As he was returning to the city from a visit to Aricia, he met Milo on the way to Lanuvium. A quarrel arising amongst some of their followers gave them the opportunity which both desired of attacking each other. Clodius was left dead upon the road.[52]

His murder excited instead of allaying the disturbances at Rome. Pompey is said to have looked on from the outset in the expectation that his countrymen would speedily be ready for their Dictator. With the consent even of Cato, Pompey was now appointed sole Consul.[53]

His first act was to proceed against Milo, from whom his favor had long been withdrawn. Under cover of laws, which, as it was observed, were but "laws directed against an individual," [54] Pompey caused Milo to be arraigned. The trial was held in the midst of the soldiers with whom the Consul begirt the Forum. Milo, of course, was condemned.

[51] In his lost oration De Ære Milonis. The zeal of Cicero in Milo's behalf may be seen in a letter, Ad Div., II. 6.

[52] This was at the beginning of A. C. 52. Cic., Pro Mil., 10. App., Bell. Civ., I. 21.

[53] Plut., Pomp., 54. Dion Cass., XL. 50.

[54] "Privilegia, non leges." Freinsh., in loc. Liv., CVII. 34.

Cicero had essayed to be his defender. When all was over, the orator wrote out the argument which he had not found the courage to deliver on the day of the trial. "Suppose Milo," he writes, "were to stand here with a bloody sword, crying out, 'I have killed Publius Clodius; I have averted from you by this weapon and by this hand, the passions of a man whom ye could not restrain by any statutes or by any sentences, in order that law, equity, liberty, honor, decency, might remain with us!' Can there be any doubt as to the manner in which ye would receive such a declaration? And is there any one now who does not approve, who does not praise what has been done? Is there any one who does not both say and think that Milo has done the greatest service to the Commonwealth? . . . . Will any one throw a vote to expel from this city a man whom, if expelled, all cities will invite to themselves? Happy the land that shall welcome him! Ungrateful this land if it shall eject him! Wretched this, if it shall lose him!" [55]

Unquestionably the tone which the orator employs is to be ascribed in a great degree to the relations existing between Milo and the party in whom Cicero reposed his only confidence. The leader of the opponents to Pompey and his cause at this time was Milo. But the fact detracts little from the impression produced by the argument. The party, the state itself, is seen to be in a condition which its defenders could not improve but by bloodshed. To

[55] Pro Mil., 28, 38.

this pass had come the liberty of the ancient Romans. Milo received the plea which Cicero had drawn up in his behalf at Marseilles. Thither he had withdrawn into banishment. "I am glad," the exile is reported to have exclaimed, "that this was not delivered at my trial. For then I should never have tasted these mullets of Marseilles." [56]

There still remained at Rome some on whom her better citizens relied. At the head of the younger men arrayed against Pompey and Cæsar was Scribonius Curio. He is mentioned by Cicero during Cæsar's consulate as being hailed with loud applause in the theatre on the same day that Pompey and Cæsar were both received with marked coldness.[57] While absent in the Asiatic province, where he seems to have held a quæstorship, Curio received several letters from Cicero breathing the warmest esteem. "Whether you hope or despair concerning the state," writes the veteran statesman, "think, meditate, resolve upon all that ought to be in that citizen and in that man, who purposes to restore to its ancient dignity and liberty the Commonwealth afflicted and overwhelmed by these evil times, these corrupted morals." [58] A year or two afterwards, Curio became Tribune.[59] "I both congratulate you," exclaims Cicero, "and earnestly desire that this tribuneship of yours may redound to your immortal glory." [60] The Tribune was not a man to be left

[56] Dion Cass., XL. 54.
[57] Ad Att., II. 19.
[58] Ad Div., II. 5.
[59] A. C. 51 for 50.
[60] Ad Div., II. 7.

to his own course by those in power. By paying his debts, Cæsar became his purchaser.[61]

The time had come when Cæsar and Pompey could no longer divide the supremacy.[62] It must belong to one or to the other; to both it could not. The advantage was so much on the side of Cæsar that Pompey threw himself upon the support of the very party amongst the higher classes against which he had for years been contending.[63] The ten years following the consulship of Cæsar leave him determined to carry out his earlier plans. They leave Pompey accepting from the Senate the command of the public forces, with the assurance, on his part, that he had only to stamp his foot any where in Italy to raise an army.[64]

"I see," wrote Cicero, just then returned from unhappy service in Cilicia,[65] "I see that our affairs are in great danger, and that we have to deal with a man at once thoroughly audacious and perfectly prepared. . . . . The only hope of resistance is in a single citizen. . . . . And they are all contending for their own authority, to the hazard

[61] Plut., Cæs., 29; Pomp., 58; Dion Cass., xv. 59 *et seq.* See Lucan's lines, Phars., iv. 811 *et seq.*

[62] The closest bond between them had been broken by the death of Julia. Plut., Pomp., 53.

[63] See Vell. Pat., ii. 47; App., Bell. Civ., ii. 25.

[64] Dion Cass., xl. 64. Plut., Pomp., 57.

[65] He was sent to govern the province against his will, in consequence of one of Pompey's recent laws, which left a number of vacant provincial governments. Dion Cass., xl. 56. Cicero was appointed A. C. 52, and returned to Italy in 50. He did a great deal of good, and treated the Cilicians with moderation and justice, such as they had never before received at Roman hands. He made a little fortune, notwithstanding. Ad Att., xi. 1. Ad Div., v. 20. Nor was he content to stay where he was useful, but longed for Rome. Ad Att., v. 15.

of the laws." [66] "It cannot be told," he writes again, "how low is every thing about us here." [67]

Some time before, while Clodius and Milo were contending most fiercely, a warning had come from the Haruspices, as from the gods, against the disorders amongst the higher orders. "Such dissensions," it was proclaimed, "will bring peril and death upon all the principal citizens, until at length the Roman realms will submit to the dominion of a single ruler." [68] The hour of fulfilment was approaching fast.

[66] See the whole letter (even these sentences being here transposed), Ad Att., VII. 3, and the other letters near it in the same collection.

[67] Ad Div., VIII. 6.

[68] Cic., De Harusp. Resp., 19.

CHAPTER III.

THE OLD COUNTRIES.

"And trod down all the rest to dust and clay."

PHINEAS FLETCHER.

OF the countries connected with the earlier period, but one preserved an entire independence of the Romans. That was the remote and unchanging India. The others, overrun by Alexander of Macedon, had made their submission to his successors, as may be said, of Rome.

Not all were equally dependent. The Parthian kingdom had never succumbed. But it had borne with interference from the only power to which its princes could appeal in their dissensions. The position of Parthia was not, therefore, a total exception to the general dependence of the old countries. Westward, there was not a single exception that could be called real. From the Euphrates to the Ægean, from Arabia to Mauritania, the states maintaining their own laws or their own rulers were few and far between. Such as they were, they maintained nothing of their own but at the pleasure of the Romans.

We have cases in point. They must be rehearsed with a view to the condition not only of those who yielded, but of those who prevailed throughout the old countries of the earth.

The eighth Ptolemy of Egypt left two natural sons, both named after their father, and both eventually succeeding to his realms. The elder of the two became the eleventh Ptolemy of Egypt. The younger reigned at Cyprus.

Against this monarch the noted Clodius had conceived a grudge. To gratify it he brought forward a bill in his tribunate depriving Ptolemy of his island kingdom.[1] This was done with the approbation of both Cæsar and Pompey. With their consent, the Tribune procured the appointment of Porcius Cato to execute the measure against Ptolemy. Two secretaries composed the whole retinue with which the commissioner was provided at the public charge.[2] Accompanied, besides, but by a few attendants, amongst whom was his nephew Junius Brutus,[3] Cato departed on his mission. Tarrying on the way at Rhodes, he sent forward one of his retinue to prevail on Ptolemy to yield. The king, unable to resist even a messenger from Cato, destroyed himself by poison.[4]

Let one of the Romans judge this act of theirs.

[1] App., Bell. Civ., II. 23. The grudge arose, says the historian, from the small amount contributed by the king to ransom Clodius from the pirates, into whose hands he fell some years before.

[2] "Sub honorificentissimo ministerii titulo"! Vell. Pat., II. 45.

[3] Plut., Brut., 3. This was the murderer of Cæsar. At the time of his voyage to Cyprus, he was distinguished only for some chosen studies and debaucheries. De Vir. Ill., LXXXII. Plin., Epist., V. 31. Martial., Epig., IX. 51.

[4] Plut., Cat. Min., 34–36.

"Here was a king," exclaimed Cicero, "peacefully enjoying the kingdom which he had inherited, relying the while upon the justice of the Roman people. Concerning him, suspecting no evil, it is suddenly proposed that he, with his purple, his sceptre, and his royal insignia, should be disposed of; and this by the orders of a nation accustomed to restore even to vanquished monarchs the realms which they have lost. . . . . Many as were the disgraceful and the violent acts of that year," when Clodius was Tribune, "this one may be said to be next in shamefulness to that committed against myself."[5] Not even Cicero could acknowledge the violence against the stranger to be equally reprehensible with that inflicted upon himself, the Roman.

Meanwhile the elder Ptolemy had been driven from his kingdom by his own subjects. The insurrection is sufficiently accounted for by the name which the king had assumed as the New Bacchus, together with that applied to him as the Piper. He had made himself insupportable even to the reckless population of Alexandria, where the rebellion against him had its head and front. Recognized, some years previously, as the ally of the Romans, he resolved to repair to them for redress.[6]

Sailing to Rome, he touched at Rhodes, where Cato was then awaiting the result of his message to Cyprus. It mattered nothing to the fugitive king that his brother was at that moment threatened by Cato. He sought the presence of the com-

[5] Pro Sext., 26, 27. [6] Ib., 26.

missioner to recount his grievances and to obtain advice as to the means of repairing them. Cato received the king, says the biographer, "as an every-day visitor." On hearing the plans which Ptolemy had formed, Cato advised him to abandon them. "Though your Egypt," he said, "were turned into silver, it would not satisfy those who are in power at Rome."[7]

Ptolemy was daunted. But he presently pursued his voyage. Received benignantly by Pompey, the king plied the magistrates and leading men of the day with unstinted bribes. They who had not hesitated about dethroning his unoffending brother could have no scruples about imposing him upon his unoffending subjects. The Senate soon decided in his favor. But the execution of the decree ordering his restoration was beset with difficulties. On the one hand, its supporters contended for the command of the expedition by which it was proposed to reinstate the monarch. On the other hand, the opponents of the measure threw obstacle after obstacle in its course, until they blocked it up altogether by an oracle purporting to prohibit assistance "with a multitude," that is, with an army, to an Egyptian king.[8]

Ptolemy, meantime, had been doing his best in the way of bribery. Had he relied upon that, his most resolute opponents might have given way in

[7] Plut., Cat. Min., 35.

[8] Dion Cass., XXXIX. 15. See Cicero's letters to Lentulus, who hoped for the command of the Egyptian expedition. Ad Div., I. 1 *et seq.* There are some fragments of an oration by Cicero, De Rege Alexandrino.

time. But the habitudes which he brought with him as an Eastern prince proved too much for both foes and friends at Rome. Thither, it seems, the Alexandrians sent one hundred of their number to remonstrate against the restoration of Ptolemy. Not one of the hundred escaped his blows or his menaces.[9] But the embassy succeeded better than if he had allowed it to proceed in peace. His violence against the envoys elicited from the Romans a spark of sympathy for the Alexandrians. To Ptolemy, the spark glowed like a flame. He hurried from Rome to Ephesus.[10]

Thence he repaired to Aulus Gabinius, the Proconsul of Syria. To him the fugitive came recommended by Pompey, in whose service Gabinius had long been engaged. His compliance with the present behests of his patron was the more ready in consequence of the enormous price which Ptolemy agreed to pay for being restored. The prohibition that had been laid at Rome upon the enterprise was easily brushed away in Syria.[11] The Proconsul put himself at the head of his forces, and with his lieutenant, Marcus Antonius, who had all along urged the expedition,[12] conducted Ptolemy in triumph to Alexandria.[13]

To keep his word with Gabinius, Ptolemy plunged into exactions and massacres. His daughter, to

[9] Dion Cass., xxxix. 13.

[10] A. C. 56.

[11] It would seem that some decree was alleged as having reversed the prohibition. Cic., Pro Rab. Postumo, 8.

[12] Plutarch (Ant. 3) makes it out that but for Antony, as we call him, the expedition would not have been undertaken.

[13] A. C. 55. Dion Cass., xxxix. 56 *et seq.*

whom his throne had been given at the time of his deposition, was put to death. With her perished all who were most distinguished and most wealthy amongst the Alexandrians. "For he was in want," says the historian, "of a deal of treasure."[14] Nor was Gabinius the only one whose demands were to be satisfied. When the Proconsul had departed, there remained the troops whom Ptolemy had taken into his pay in order to preserve his recovered realms.[15] Thus dependent upon the stranger at the same time that he was grinding his own people to the dust, Ptolemy reigned until his death a few years afterwards.[16]

More than one question of importance to the Romans turned upon the manner in which they regarded the course of Gabinius. Were he approved, not only was the imposition of an unworthy prince upon a foreign nation ratified. It was also settled for the Romans themselves that their laws and their liberties must give way to the will of individuals. The letters of Pompey had been deemed by Gabinius sufficient to warrant him in setting aside the determination of the authorities at Rome.

Of all this, however, nothing was immediately urged against Gabinius.[17] The first to bring any precise accusation against him upon his return were the Publicans connected with his province, where, as they averred, they had sustained great losses on account of his leaving it undefended.[18] Cicero joined

[14] Dion Cass., XXXIX. 58.
[15] Cæs., Bell. Civ., III. 103.
[16] A. C. 51.
[17] He came back in A. C. 54.
[18] Dion Cass., XXXIX. 59.

in the cry. But it was only for a moment. "I can scarcely restrain myself," he writes. "Yet I do restrain myself, partly because I am unwilling to contend with Pompey, and partly because we have no judges."[19] A more resolute effort was made to bring Gabinius to justice. But though charged with treason for having restored the Egyptian against the orders from Rome, Gabinius was acquitted.[20] He was again arraigned for having received a bribe from the monarch whom he had reënthroned. Submissive to Pompey, Cicero, even Cicero, appeared as the advocate of the accused.[21] But Gabinius was condemned.[22]

By such events the prostration of Rome is proved to have been simultaneous with that of the old countries.

[19] Ad Q. Frat., III. 2.

[20] Ib., 3, 4.

[21] For which Valerius Maximus glorifies him. IV. 2. 4. The tone of Cicero may be gathered from his oration Pro Rab. Postumo, delivered in behalf of one who was involved with Gabinius.

[22] Dion Cass., 62, 63.

CHAPTER IV.

CÆSAR EMPEROR.

"Et nunquam postea nisi de principatu quæsitum."
TACITUS, *Hist.*, II. 38.

THE East and the South were already subdued by Rome when her greatest warrior set out to subdue the West and the North in Gaul. Beyond that country lay Germany, on the one side, and on the other, Britain. A better field could not have been chosen by Julius Cæsar.

In winning it, he spent eight years.[1] That, too, at a period of life when eight years must have seemed a large proportion of what he had yet to live. But the time was well employed for Cæsar. He could not have more speedily amassed the wealth which he needed. He could not have more speedily secured the unthinking, undeviating allegiance which he required from his soldiers. He could not have more speedily produced upon his countrymen an impression of fortune and of power on his part that should be resistless. It was marvel enough,

[1] A. C. 58–51 inclusive. Luden describes the operations of the conqueror. Hist. Teutonic People, Book I. ch. 6–11.

most of them thought, that he should assail the races against whom, or whose namesakes, their fathers had scarcely succeeded in defending themselves. That he should have conquered the Gauls, and with them, the Germans and the Britons, inhabitants of lands before almost unknown, must have rendered Cæsar a prodigy in the eyes of the Romans the most accustomed to conquests.[2] Their own submission to him was thus hastened.

Of his achievements Cæsar himself is the historian. No work ever bore a stronger impress of its writer than these Commentaries upon the Gallic War. Remark has been made, it is true, concerning the studied concealments of the narrative composed by Cæsar. Nor is there any room for denying that he slurs over the atrocities of his savage and protracted campaigns. But this is all the more characteristic. He passes over what another might have dwelt upon reprovingly, simply because it does not occur to Cæsar that any action of his can be exposed to censure. In exactly the same spirit, he omits to bring forward points which another would have held up to view as worthy of the highest praise to be bestowed by a Roman. He describes himself acting as he pleased, butchering or pardoning his enemies, protecting or exposing his soldiers, cruel or merciful, honest or deceitful, according to his own desires. He knew no other rules by which to conquer either the Gauls or the Romans.

[2] The thanksgivings decreed by the Senate were of unusual length. One of fifteen days was ordered at the end of A. C. 57; one of twenty at the end of 55; and so on. Cæs., Bell. Gall., II. 35, IV. 38, etc.

To make himself the master of Rome was, as we have read, an old design with Cæsar. At the close of his Gallic campaigns he came down to Cisalpine Gaul whence he issued his demand for a second consulship. A large proportion of his countrymen stood ready to make him Consul or any thing else that he chose to be. The lower classes especially, with many of the younger men belonging to the higher classes, ranged themselves with Cæsar. On the other side, were the older members of the aristocracy, arrayed in the name of the Senate with Pompey for their leader, rather, their ruler. The cause which they maintained, like that which they opposed, was the cause of a single man.

"Never," writes Cicero, "was the state in greater peril. Never were its seditious citizens under a more determined chief. We are doing our utmost." But how? "By the favor and the assistance of Pompey, who begins too late to dread Cæsar." [3] "He ought to have been resisted," Cicero had already written in relation to Cæsar, "when he was weak, when, therefore, resistance was easy. Now, there are eleven legions, and as many horsemen as he wants. There are people of the north, people of the city, there are these Tribunes, these abandoned youths. Then there is this leader of so great power and so great audacity. We must either fight with him or submit to his demands. 'Fight,' you say, 'rather than submit!' But for what? That you may be proscribed if you are conquered, or

[3] Ad Div., xvi. 11.

that you may be enslaved even if you conquer? . . . . For no one knows what will come of it, if we take up arms."[4]

"Yet there is not even the desire of reconciliation," resumes Cicero, "on Pompey's part. . . . . He says that if Cæsar becomes desperate, he shall hold him in contempt, and rely upon his own forces and those of the Commonwealth."[5] Cæsar, on his side, was said to have often spoken of civil war as a necessity.[6] When the demand which he sent to Rome was refused, he struck the hilt of his sword, exclaiming, "This will give it me!"[7]

At the end of the year which Cæsar passed in Cisalpine Gaul, Scribonius Curio was succeeded in the tribuneship by Marcus Antonius, whom we call Mark Antony. The two soon fled together to announce to Cæsar that he was declared a public enemy, while Pompey had been placed at the head of the magistrates invested with unlimited authority.[8] The fugitives met their patron already on the southern side of the Rubicon, the boundary of his province, at Rimini.[9] Such was the vigor with which Cæsar pursued his march, that Pompey with his adherents, comprising nearly all the public au-

[4] Ad Att., VII. 7. As he had said (Ib., 5) "Ex victoria quum multa mala, tum certe tyrannus existet."

[5] Ad Att., VII. 8.

[6] Suet., Cæs., 27.

[7] App., Bell. Civ., II. 25. The story is differently told in Plut., Cæs., 29; Pomp., 51.

[8] A. C. 49. Cæs., Bell. Civ., I. 5; Dion Cass., XLI. 3. The commotions leading to these results are described in Cæs., Bell. Civ., I. 1 *et seq.*; Dion Cass., XL. 62 *et seq.*, XLI. 1 *et seq.*; App., Bell. Civ., II. 29 *et seq.*; Plut., Pomp., 58; Cæs., 28–31; Ant., 5; Liv., Epit. CIX.; Flor., IV. 2.

[9] Cæs., Bell. Civ., I. 8. Plut., Cæs, 32; Pomp., 60.

thorities,[10] was fain to escape to Brundusium and thence across the sea to Greece. In less than three months, Cæsar was master of Italy.[11]

To the Senators whom he found at Rome, the victor addressed himself in conciliatory language. To such as were not yet beyond the confines of Italy, he wrote as he did to Cicero, inviting their return to the capital. "Nothing," he declared, "is farther from my nature than cruelty."[12] He used the same tone in instructing his officers. "Let us try," he wrote to two of his partisans, "to recover the good-will of all, and to gain a lasting victory; since others have failed to escape odium or to retain their advantages the longer for their inhumanity. . . . . I am not going to imitate Sulla."[13] Meanwhile he was gaining over the lower classes by promises of grain and money.[14] At the same time, he made it very evident that he would bear with no resistance. The populace must not think of sedition. The higher classes must not dream of independence. "He refrains from cruelty," said his Tribune Curio to Cicero, "because he thinks clemency popular. But if the people showed any disaffection he would soon be cruel." One man, the Tribune Metellus, had been so bold or so blind as to

[10] "Omnes consulares qui per valitudinem exsequi cladem illam fugamque potuissent, prætores, prætorios, tribunos plebis, magnam partem senatus, omnem sobolem juventutis, unoque verbo, rempublivam expulsam atque exterminatam suis sedibus." Cic., Philipp. Sec., 22.

[11] Cæs., Bell. Civ., I. 13, 15, 23. Suet., Cæs., 34. Cic., Ad Att., VII. 22, VIII. 3, 9, 14.

[12] Ap. Cic., Ad Att., IX. 16.

[13] Ib., ib., 7.

[14] Dion Cass., XLI. 15.

attempt to prevent Cæsar from getting possession of the public treasury.[15] "He wanted to have Metellus put to death," said Curio. "Then," added the partisan, "there would have been a general massacre."[16]

On the other side, there was not even the pretence of moderation. "It is dominion," wrote Cicero, "that is sought by both parties. . . . . Pompey did not leave the city because he could not defend it; nor did he leave Italy, because he was actually driven out. It was his purpose from the beginning to move all lands, all seas, to rouse barbarian kings, to bring savage nations in arms upon Italy, to collect the most formidable armies. A reign like that of Sulla is what has been long desired."[17] A few weeks later, Cicero writes again: — "Our Cneius," that is, Pompey, "has been wonderfully anxious to obtain something like the sovereignty of Sulla. I say this, because I know it. He never was so little reserved. . . . . Is not the cause, then, a good one? Yes, the best one. But it will be most vilely managed. The first object is to destroy the city and Italy by famine. Then they are to lay waste the country, to burn and to pillage."[18] Notwithstanding all this, Cicero determined to follow Pompey beyond the sea.[19] "This I do," he

[15] Plut., Cæs., 35; Pomp., 62. On the plunder which Cæsar obtained, see Plin., Nat. Hist., XXXIII. 17.

[16] Cic., Ad Att., X. 4.

[17] Ad Att., VIII. 11.

[18] Ad Att., IX. 7. So Ib., IX. 10, 11, X. 4, 7. And afterwards, Ad Att., XI. 6, Ad Div., VII. 3, IX. 6. See, also, Cæs., Bell. Civ., III. 83.

[19] After an interview in which Cæsar had shown remarkable forbearance. Cic., Ad Att., IX. 18.

says, "not for the sake of the Commonwealth. That I regard as utterly overthrown." [20]

Cæsar was already extending his sway. Within a few days after his entry into Rome,[21] he departed in order to reduce the legions of his antagonist in Spain. Before his return, he received the dictatorship. This he held only long enough, eleven days, to secure his election to the consulship, and to obtain the passage of several laws in behalf of his followers and in favor of public tranquillity.[22] He then [23] made haste to sail, in defiance of winter storms, to Greece, where a campaign of several months resulted in the total rout of Pompey, with all his forces, at Pharsalia. The defeated leader fled to Egypt, and there, on his arrival, he was slain, the day before his fifty-eighth birth-day, by order of the Egyptian court.[24] Cæsar pursued him from Pharsalia, but wept to hear his miserable end.[25] He could have ruled the world as safely without the murder of his humbled foe.

The victor was detained by further victories in Egypt and Syria until near the close of the following year.[26] Then, already invested a second time with the dictatorship, as well as with the consulate for five years,[27] he returned to restrain the disorders of his followers, particularly of Mark Antony, to

[20] Cic., Ad Att., IX. 19.

[21] Then the spring of A. C. 49.

[22] Suet., Cæs., 41–43. Plut., Cæs., 37. Cæs., Bell. Civ., III. 2.

[23] A. C. 48.

[24] Plut., Pomp., 77–79. Cæs., Bell. Civ., III. 104.

[25] And put his murderers, or those whom he could seize, to death. Plut., Pomp., 80. "Non possum," says Cicero, writing of Pompey's death, "ejus casum non dolere. Hominem enim integrum, et castum, et gravem cognovi." Ad Att., XI. 6.

[26] A. C. 47.

[27] Dion Cass., XLII. 20.

whom, as Master of the Knights, he had intrusted the government of Italy.[28] The more obedient of his partisans, of every rank and every race, were rewarded with the highest honors; the old offices being enlarged to provide them with places, and the very temple of the Senate being opened wide to the crowd of aliens and soldiers pressing in.[29] By these new functionaries he was proclaimed Dictator for the third time.

During eight months more,[30] Cæsar was occupied in reducing the forces which, in alliance with Juba, the Numidian, still held out against his officers in Northern Africa. Cato, the only leader that even professed devotion to the almost forgotten Commonwealth, died by his own hand at the close of the African campaign.[31] Cicero had been already pardoned.[32] There remained none but the scattered adherents of Pompey to be subdued.

The Senate at once decreed a general thanksgiving of forty days, together with the celebration of the usual triumphs for the victories of their master. Four times, — once for Gaul, again for Egypt, again for Syria, and lastly for Numidia, — was Cæsar borne up to the Capitol, while below, the highest

[28] Dion Cass., 27 *et seq.* Plut., Ant., 9; Cæs., 51. Appian especially relates the suppression of a mutiny. Bell. Civ., II. 92 *et seq.*

[29] Suet., Cæs., 40, 41. Dion Cass., XLII. 51. So in the next year. XLIII. 27. The number of Senators was then increased to nearly nine hundred. See the story in Suet., 80, alluding to the number of strangers amongst them.

[30] Until the middle of A. C. 46.

[31] He was forty-eight years old. Plut., Cat., 70, 73. Cæsar lamented that Cato should have grudged him the honor of proving his clemency. Plut., Cat., 72; Cæs., 54.

[32] "Before I was seen," he says, Pro Ligario, 3. "Me discessisse ab armis," he declares, "nunquam pœnituit." Ad Att., XI. 6.

and the lowest of the Romans, Senators and magistrates, soldiers, citizens, and slaves, with women and children, were revelling in the games and the bounties provided for them by the conqueror.[33] Even when these ceased, or rather paused, the erection of theatres, temples, and works too vast for the Commonwealth, as it was yet called, to have commanded, went on, as if the power and the wealth of its ruler were supernatural. Meantime titles and honors of every kind were laid at his feet. He was appointed Prefect of Morals[34] for three, and Dictator for ten years, with multiplied distinctions at the games and the elections, in the Senate, and even in the Capitol, where his statue in bronze was to be set, inscribed "The Demigod!"[35]

One more campaign was fought against the forces commanded by Pompey's sons in Spain. From the victory which he won at Munda, Cæsar came back to triumph, this time over his own compatriots, in the face of the confounded, but still exulting people.[36] Nor did the Senate stay their votes in completing the measure of his apparent glories. They hailed him their Liberator, and ordered a temple to be built to Liberty, at the same moment that they gave him the title of Imperator, once temporarily assumed by victorious generals, as if it meant Commander, but now, as signifying Emperor, more so-

[33] Dion Cass., XLIII. 19 *et seq.* Plut., Cæs., 25. Suet., Cæs., 37 *et seq.*

[34] "So styled," says Dion Cassius (XLIII. 14), "as if the title of Censor were too mean for him."

[35] Ἡμίθεός ἐστι. Id., ib.

[36] The battle was won in the spring of A. C. 45. Cæsar returned to Rome in the autumn. Id., ib., 28 *et seq.*

lemnly appropriated to the Consul for ten years, the Sole Censor for life, and the Perpetual Dictator of Rome.[37] Still further decrees, declaring him Father of his Country, and pledging both Senate and people to his safety, finally broke beyond the bounds of human homage, acknowledging him as the Julian Jupiter, and ordering a temple and a priesthood to be consecrated to his worship.[38] There was but one man for those "that talked of Rome" to praise as their sovereign and to confess as their deity.[39]

Thus fell the liberty of the Ancient Romans. It fell as their Emperor rose. From the day of its foundation it had been the liberty of rulers. When there was but one to be a ruler, the day of its overthrow arrived. Then culminated the ancient centralization. Not only were the many subjected to the few. But all submitted to one alone. Still we read on. Though liberty had fallen, there were some to mourn or to think that they mourned it. Not until even the mourners ceased, can our history be closed.

"I have grieved," writes Cicero, "over the Commonwealth, endeared not only by its benefits towards me, but by mine towards it. And, although time as well as reason brings me consolation, I still grieve that the state should have fallen so completely as to be below even the hope of any restoration. Yet it is not to be laid to the charge of him

[37] Dion Cass., XLIII. 44, 45. App., Bell. Civ., II. 106. Suet., Cæs., 76.

[38] Id., ib., and Dion Cass., XLIV. 4 – 8. Cf. the inscription of the Asian cities in Eckhel, Doct. Num. Vet., tom. VI. p. 5.

[39] "Cesare e Roma
Sono in due nomi omai sola una cosa."
ALFIERI, *Brut. Sec.*, Att. I. sc. 1.

in whose power are all things, unless the fact that they are in his power is itself a charge. Matters have turned out, partly by our misfortune and partly by our fault, in such a way that we have no right to complain concerning the past. But I see no hope left."[40]

A little later, the fallen citizen describes a visit paid him at his country-seat by the triumphant ruler. "He both ate and drank," says the doubting host, "abundantly and cheerfully. . . . . What need of saying more? I seemed to be again a man. Yet he is not a guest to whom you would say, 'I shall be delighted to receive you in the same manner on your return.' Once is enough. There was nothing of moment in his conversation. He talked a good deal on literary topics." It pleased Cæsar to see his subjects contented with their libraries and their banqueting-rooms. The men of luxury would never disturb him. Neither would the men of learning, such as then prevailed. "In short," pursues Cicero, "he was pleased."[41]

There was no disposition to deny the power of the Emperor. "He holds all things," says Cicero,[42] who furthermore entitles him "the master."[43] But there was spirit enough amongst the subjects to insist upon the responsibilities of the sovereign. Cicero often tried, as he says, at writing to Cæsar

[40] Ad Div., VII. 28. With this compare the efforts which Cicero made, as in writing the eulogy of Cato (Ad Att., XII. 4, 40), or in procuring the pardon of Marcellus (Pro Marcello; and Ad Div., IV. 4) and Ligarius (Pro Ligario; and Ad Div., VI. 14.)

[41] Ad Att., XIII. 52.

[42] "Is qui omnia tenet." Ad Div., IV. 8.

[43] "Magister." Ib., VII. 25.

about the public interests.[44] What he abandoned[45] was taken up by an unknown writer, in a letter "To Caius Cæsar concerning the Constitution of the Commonwealth." According to this, there were obligations upon the Emperor more weighty than any upon his people. The Senate must be renewed. The lower ranks of citizens must be recruited. For the inferior orders, employment must be provided. For their superiors, corruption must be restrained. Only thus, urged the wiser Roman, can liberty be brought within our reach.[46] "Up to this time," concludes the appeal, "although you have done great deeds at home and abroad, yet your glory is the same as that of many brave men. But if you shall save this city, so great in name and so wide in dominion, from its impending fall, who on earth shall be greater, who shall be more renowned?"[47]

Meanwhile the Emperor was exerting himself in the interest of his subjects, so far as it was identical with his own. But the measures which are recorded to have been taken[48] cannot be regarded as completely indicative of his designs. Such as promised the most, like those in favor of the laborer[49] and the scholar,[50] the provincial[51] and the stranger,[52]

[44] Ad Att., XII. 40.

[45] Ib., XIII. 26, 27, 28.

[46] Capp. 6, 7, 11, 15, 18, 20, 21.

[47] Cap. 21.

[48] The details may be found in Dion Cass., XLI. 36–38, XLII. 51, XLIII. 25–27, 47, 50; Suet., Cæs., 40–43.

[49] "Neve hi, qui pecuariam facerent, minus tertia parte puberum ingenuorum inter pastores haberent." Suet., Cæs., 42. Add to this the reduction of the proletaries to less than half their previous number. Id., ib., 41.

[50] "Omnes medicinam professos et liberalium artium doctores . . . . civitate donavit." Id., ib., 42.

[51] As in the case of the people beyond the Po, or in that of the Sicilians. Cic., Ad Att., XIV. 12. Tac., Ann., XI. 24. Dion Cass., XLI. 36.

[52] As in the case of the Jews. Joseph., Ant., XIV. 10, 2 *et seq.* Suet., Cæs., 84.

were little more than crumbs brushed from a table spread with endless purposes. He accepted commissions from the Senate to drain the Pontine Marshes and to cut through the isthmus of the Peloponnesus; while his own enterprises of building and collecting, of writing, compiling and reforming, now the calendar, and again the code, must have appeared sufficient to task alike his thoughts and his energies. But they were unwearied.

Only thrice after his first dictatorship of eleven days did he reside in Rome; once for three months, when he came back from the East; again, for a shorter time, on his return from Africa; and once more, during the five short final months of his empire and his life. Even then he was looking beyond the realms which he had won. An expedition was prepared against the Parthians, from whose conquest the Emperor proposed to return with fire and sword along the Caucasus to Scythia and Germany, completing thus, according to his amazed biographer, the circle of his territories by the ocean.[53] The idea was conceived, perhaps the mention made, of yet vaster empire, the centre of which might be at Alexandria or at Ilium;[54] while the increase of its inhabitants and the expansion of its boundaries should be checked only by reaching the ends of the universe.

But the power on which, as it were, the Emperor stood at Rome to overlook the world was sinking beneath his weight. A certain Tribune, Pontius

[53] Plut., Cæs., 58. Suet., Cæs., 44. App., Bell. Civ., II. 110.

[54] Suet., Cæs., 79.

Aquila, did not rise from his seat when Cæsar passed in triumphal array. "Take back," cried out the Emperor, indignant that the insolence of a Roman should contradict his imaginations of universal homage, "take back, then, Aquila, the Commonwealth!"[55] Two other Tribunes, Flavus and Marullus, removed a diadem from the statue of the Emperor, and called a man to trial for having hailed him king. The affront, as Cæsar thought it, was more than he could bear; and at his command, both the magistrates were deprived of their tribunate, ejected from the Senate, and exiled.[56] "I am not king," was, nevertheless, his reply to some who greeted him with the royal title, "I am not king, but Cæsar!"[57] Yet there is no doubt, on the other hand, that the mere refusal of the kingly crown made him to a certain degree desirous of obtaining it. The mighty ambition which marked out the universe for an empire was blasted by the feverish hankering for a diadem in the city so soon to be deserted. None, however, could have foreseen, least of all, Cæsar, who one day refused a guard for his protection,[58] and on another bade men take his words for laws,[59] that the end was thus beginning. On the contrary, it must have seemed as if an end would never come.

[55] Suet., Cæs., 78.

[56] App., Bell. Civ., II. 108, 122. Vell. Pat., II. 68. Dion Cass., XLIV. 9, 10.

[57] App., Bell. Civ., II. 108. "Sur quel trône," asked Napoleon, "eût pu s'asseoir César? Sur celui des rois de Rome, dont l'autorité s'étendait à la banlieue de la ville? Sur celui des rois barbares de l'Asie, vaincus par les Fabricius, les Paul-Emile, les Scipion?" Précis des Guerres de J. César, dicté à Ste. Hélène, p. 214.

[58] Dion Cass., XLIII. 41, XLIV. 7.

[59] T. Ampius, ap. Suet., Cæs., 77.

A young kinsman, the grandson of a sister, Caius Octavius, eighteen years old,[60] but already distinguished by the people for his beauty and by his uncle for his aspiring aims, was chosen as the heir of the Emperor, and sent, under the care of accomplished teachers, to learn the service of the camp at Apollonia. The title of Emperor, first in peace and war, with that of Chief Pontiff, first in religion, had been previously declared to be transmissible to the born or to the adopted son of Cæsar.[61] The submission of Rome, of Italy, and the provinces appeared to be perpetual.

The same judgment is written over all usurpations in the uneasy or seditious spirit by which they are grimly saluted at their origin, and at length precipitated to ruin. But it by no means follows that the uneasiness or the sedition excited by oppression is itself of any more generous or more enduring nature. It chanced in Rome, at one of the appointments of magistrates, then made habitually by the Emperor or under his approval, that the office of City Prætor, sought with great earnestness by Cassius Longinus, was given to his brother-in-law, Junius Brutus. The lives of both these men had been spared by Cæsar; but neither of them thought of what they owed to him so much as of what he yet owed to them. Brutus, mentioned some time since as Cato's nephew, was now forty years of age; and though the avarice[62] and the debauchery

[60] Having been born in the consulship of Cicero, A. C. 63. Suet., Aug., 5.

[61] Dion Cass., XLIII. 44, XLIV. 5.

[62] See Cicero's plain statements, Ad Att., V. 21, VI. 1–3.

of his times had not been avoided, he was become a sober and to some degree a liberal man. Soon after his nomination over Cassius to the prætorship, the statue of the elder Brutus, whom he claimed for an ancestor, was hung with the inscription, "Would thou wert yet amongst the living!" Other writings were thrown upon his own tribunal:—"Sleep you?" "You are not Brutus!"[63] The secret of his character had been discovered; and when Cassius followed up these appeals to the conceit of ancestry and of excellence, Brutus forgot who had been his benefactor and was still his friend.[64] Others like Brutus were already prepared by Cassius; and with them others, upwards of sixty in all,[65] united in the conspiracy to murder Cæsar.

The Emperor was warned. But it was not for one who had trusted in himself against all the citizens and all the laws of the Commonwealth to fear a few "lean and hungry" subjects of his own. He relied, likewise, upon the gratitude of those whom he had saved from death, and of him especially whom he had also loved. "Will he not tarry," was his question in reply to those who mentioned Brutus as having joined the disaffected, "will he not tarry until this poor body be buried?"[66] His

[63] Dion Cass., XLIV. 12. App., Bell. Civ., II. 112. Plut., Brut., 9; Cæs., 62.

[64] Plut., Brut., 6–8; Cæs., 62.

[65] Suet., 80. Seneca's remarks are true, though he wrote them from any other motive than a desire to tell the truth. De Ira, III. 30. A full catalogue of the conspirators, compiled with all Drumann's accuracy and tediousness, will be found in his Gesch. Roms, vol. III. pp. 693 *et seq.*

[66] Plut., Brut., 8; Cæs., 62. One of Cæsar's great sayings was, "Mori se quam timere malle." Vell. Pat., II. 57. So Suet., Cæs., 86.

confidence in Brutus, in his subjects, and in himself was equally deceived. He fell undefended.[67]

The testament of the murdered Emperor confirmed the fate which he had brought upon the Commonwealth in his lifetime. Large bequests of gardens and money were made to the people. But the young Octavius, then Master of the Knights elect, was declared the adopted son and heir to whom the titles of the dead were to descend. And when Mark Antony brought forth the corpse of his master to burial, the eulogy consisted in greater part of a mere rehearsal of the decree in which the Senate had lavished every honor, human and divine, upon the Emperor, and of the oath by which they had sworn obedience and protection.[68] It was the same thing as to tell the multitude thronging about the funeral pile, that, though there had been a conspiracy and a murder, no claims could be preferred, on any side, to liberty.[69]

[67] March 15, A. C. 44. The details of the plot and its execution are in Plut., Brut., 7–17; Cæs., 62–66.

[68] Suet., Cæs., 84. See Cic., Philipp. Sec., 36

[69] "Nihil esse rempublicam," as Cæsar had said, "appellationem modo." Suet., Cæs., 77

CHAPTER V.

THE CONSPIRATORS AND THE TRIUMVIRS.

"A factious band agree
To call it freedom."

GOLDSMITH, *Traveller.*

"César mort, il a été remplacé par Antoine, par Octave, par Tibère, par Néron." NAPOLÉON, *Guerres de J. César*, p. 218.

THE Senators, mostly the creatures of Cæsar, escaped in terror from the place where he had fallen.[1] Forth from the Senate-house soon came the sixty conspirators with bloody daggers, at the sight of which the crowd without, like the Senators within, fled in consternation.[2] The panic seized the murderers themselves; and they hastened to the Capitol,[3] as to a watch-tower whence they could look down upon the confusion which they had caused. There they were joined by others, amongst whom was Cicero. "What else but joy," he cried, "could I have felt at the righteous doom of the tyrant?"[4] "What deed," he afterwards exclaimed, "has ever been more glorious, what one will ever be more

[1] App., Bell. Civ., II. 118.
[2] Plut., Brut., 19.
[3] Dion Cass., XLIV. 19–21.
[4] Ad Att., XIV. 14. So Ad Div., X. 28.

cherished in the memory of men?"[5] The exultation of the elder citizen was far from being shared by the younger men to whom he repaired. "It was but one act," he was obliged to confess at a later time. "I," he avers, "would have completed the drama."[6] But the curtain fell upon a day of inaction and uncertainty.

On the morrow, the conspirators descended, together or in part, to the Forum, in order to address the crowds there moving to and fro in ignorance of what might yet occur, almost of what had actually occurred. Brutus spoke first, to explain the reason of Cæsar's death. He was heard in respectful silence. But another of the conspirators, who attacked the memory of the murdered Emperor, excited so great a tumult, that the speaker and his associates were obliged to hasten back to the Capitol. There Brutus, it is said,[7] dismissed all but the sixty conspirators, fearing an assault or a blockade, in which he knew that no number of old men could be of service. At the same time, a mission was despatched to the partisans of Cæsar, who were already resolved to take possession of their master's authority. So the night wore away in messages and preparations on either side.[8]

Mark Antony, as Consul, stood next to his murdered master in civil authority. In military authority the next to the Emperor was Æmilius Lepidus,

[5] Philipp. Sec., 13. "Divina gloria," exclaims the orator, in writing subsequently to Brutus. Ep. Cic. et Brut., 15.

[6] Philipp. Sec., 14.

[7] Plut., Brut., 18.

[8] App., Bell. Civ., II. 125.

as Master of the Knights.[9] The two united against the conspirators, but not at once in open hostility. The Senators, called together by Antony on the third day, decreed, at his proposal, a general amnesty. They likewise ordered that the institutions and appointments of the Emperor were to remain unaltered,[10] while he himself should be worshipped as a god in heaven.[11] On the next day, the fourth from Cæsar's death, the Senators met again to vote their thanks to the conspirators for the murder, and to Antony for having prevented the outbreak of a civil war.[12] Such of the conspirators as held any magistracies were solemnly reinstated, and appointed to the provinces to which their offices entitled them. To these, as must be observed, they had been appointed by Cæsar; and it was through recourse to his authority that his murderers were now preserved and honored.

The end, however, was not yet come. Mark Antony, the mourner and the orator at Cæsar's funeral, roused the multitude to fury. The flames of the burning pile spread about the Forum and roared with awful sound throughout the city.[13] It was the beginning of many strange and dangerous scenes by day and night,[14] in which, as it seemed, the spirit

[9] He was at the head of the only forces in the neighborhood. They had been collected by him, preparatory to his departure for the provinces assigned him in Gaul and Spain. App., Bell. Civ., II. 118, 126.

[10] Id., ib., II. 135. Plut., Brut., 19. Cic., Philipp., II. 35.

[11] Plut., Cæs., 67.

[12] Plut., Brut., 19; Ant., 14.

[13] Dion Cass., XLIV. 50. Plut., Brut., 20; Cæs., 68.

[14] Suet., Cæs., 84, 85. Dion Cass., XLIV. 51.

of the murdered might be appeased. In the midst of growing tumults, the conspirators, they even who were among the magistrates of the year, fled terrified from Rome,[15] where Antony remained in power as absolute as that which Cæsar had held a month before.[16] The restive servant was soon the wanton master. He seized the treasures collected for the Parthian expedition;[17] and obtaining other enormous sums in return for the acts forged in Cæsar's name, under the pretence of their having been found amongst the Emperor's papers, Antony soon bought up his colleague in the consulship, many of the Senators, and more still of the legions and the populace. With formal authority from the Senate to act upon all things "appointed, decreed, and done by the Emperor,"[18] Antony, surrounded by guards,[19] wreaked all the outrages which he chose to inflict upon the Commonwealth. "There is now," wrote Cicero, "no shadow, no trace, of legal government."[20]

Meanwhile, the authors of the deed from which these things had arisen were at a distance, in safety, indeed, but with evident want of confidence, either in themselves or in any of their countrymen. Within two months from the murder, Brutus wrote, in his own name and in that of Cassius, to Antony as follows:—"We ask you to manifest your in-

[15] Plut., Brut., 21. App., Bell. Civ., II. 148.

[16] Plut., Ant., 15. Dion Cass., XLIV. 53. Two of his brothers were also in office, the one being a Prætor, the other a Tribune. Dion Cass., XLV. 9.

[17] Cic., Philipp., II. 37.

[18] See the letters ap. Cic., Ad Att., XVI. 16.

[19] App., Bell. Civ., III. 5.

[20] Ad Div., X. 1. See also XII. 1; Philipp., I. 10, II. 42, V. 4.

tentions towards us more clearly; for you cannot imagine that we should be safe amidst your multitude of soldiers. . . . . It is plain," he adds, but it is difficult to believe him sincere or sane, "plain that we have had a view to the peace of our country from the beginning, without seeking any thing else besides a universal liberty." [21] Three months later, when the behavior of Antony had excited the most mournful apprehensions not only in the conspirators, but with all men who were still either thoughtful or ambitious, Brutus addressed him again. "We wonder," he says, "that you should have been so transported by passion as to reproach us with Cæsar's death. . . . . If we wished to excite a civil war, your language would nowise hinder us; but you know that we are not to be driven to arms." [22] The strongest friends of the conspirators implored them to desist from their vanity and indecision.[23] But as Cicero wrote, six weeks after the assassination, "we have been freed by illustrious men; yet we are not free." [24]

The arrival of Octavius, under his assumed name of Cæsar, introduced another competitor for power over the prostrate Commonwealth. Antony owed his place to his relations with his fallen master. Those of the young Cæsar to his uncle and adoptive father were such as to promise him the suc-

[21] Brut. et Cass., ap. Cic., Ad Div., XI. 2.

[22] Id., ib., 3.

[23] Cic., Ad Att., XV. 4, 29; and above all, the account of Cicero's interview with Brutus and Cassius, in the same letters, 11.

[24] Ad Att., XIV. 14. "Sublato enim tyranno," he says again (Ibid., 4), "tyrannida manere." So Ibid., 11. See the account in Josephus, Bell. Jud., I. 11. 1.

cession to which the murdered Emperor had called him.[25] He came, a month or two after the murder, to fawn upon Cicero and Antony, upon the Senate and the army, at the same time that he dreaded the soldiers, distrusted the Senators, hated Antony, and scarcely bore with the admonitions or the eulogies of the old man eloquent, the only being whom the Emperor had ever feared. The close of the year beheld both Antony and his younger rival in arms: Antony being declared a public enemy, and endeavoring to obtain possession of Modena and Cisalpine Gaul; while Cæsar, appointed a Proprætor and a Senator,[26] was engaged with the Consuls and the forces of the Senate in the repulse of Antony, who fled early in the following year beyond the Alps to Gaul.

The foreground in the miserable and bloody spectacle, beginning with the murder of the Emperor Cæsar, was thus occupied by his chief partisan and his chief kinsman. It matters little, now, who were in the background, whether it was Lepidus, who had been elected Chief Pontiff,[27] and then sent on his march to Spain, or Sextus Pompey, the younger son of the great Pompey, who had escaped the fate of his father's adherents, and was, at Cæsar's death, in possession of the greater portion of Southern Spain. The only question to be decided

[25] "Quem nego," writes Cicero, "posse bonum civem." Ad Att., XIV. 12. Cf. Philipp. Quint., 18.

[26] Liv., Epit. CXVIII. App., Bell. Civ., III. 51. He was at the head of several legions which had gone over to him from Antony. Dion Cass., XLV. 12, 13.

[27] Dion Cass., XLIV. 53.

related to the two in the foreground. One of them must become the Emperor of Rome.

Cæsar determined to unite himself with Antony until he could act against his rival with greater security. Obtaining at once a pretext for turning against the Senate, in whose army he had fought his first campaigns, Cæsar marched upon the city with soldiers attached to him and caring nothing for the Commonwealth. With their aid he demanded and received the consulship, then vacant, for the remainder of the year,[28] at the same time procuring the election of a near relation,[29] named Quintus Pedius, for his colleague. A law of banishment was straightway carried against the murderers of the Emperor, and all by whom they had been joined; while Cæsar, appropriating the money in the treasury, completed, as it were, the reparation due to his uncle's memory by paying the legacies bequeathed to the people by their sovereign.[30] Leaving the city in charge of his colleague, Cæsar then set out to meet Antony and Lepidus, who were descending together into Italy. They had both been declared public enemies; but at the proposal of the Consul Pedius, the sentence against them was rescinded. Nor was it long before the league, already planned between the two and Cæsar, was cemented near Bologna.[31] The most valuable pro-

[28] Dion Cass., XLVI. 45, 46. App., Bell. Civ., III. 94.

[29] The son or the grandson of Julia, the Emperor's sister and the grandmother of Octavius Cæsar.

[30] App., Bell. Civ., III. 95. Dion Cass., XLVI. 48.

[31] It was now the autumn of A. C. 43. Id., ib., 55. App., Bell. Civ., IV. 2.

vinces[32] were divided amongst themselves, under the title of Triumvirs for Five Years.[33] The title was no sooner conferred upon them by a law brought forward in the name of a Tribune, than its strength was tried in effecting proscriptions and massacres, to which each Triumvir abandoned friends and brothers[34] to satisfy his associates, that he, too, might be satisfied.

One victim to these remorseless men was Cicero, the last twelvemonth of whose life had been ennobled by the devoted courage of his prime. Exulting, as we have seen, with much mistaken joy in the fall of Cæsar, he united himself with the conspirators, in the hope that they were to save his country from further servitude. On the discovery of their utter imbecility, his spirits failed.[35] He would have turned to Antony,[36] depended on Cæsar,[37] or even fled from Italy. In the full determination to make his way to Greece, he heard of so encouraging a change in the aspect of affairs, that the desires or complaints of his friends[38] were no longer needed to bring him back full of determination to

[32] Lepidus was to retain Spain and Narbonese Gaul; Antony was to have Cisalpine and Transalpine Gaul; while Cæsar took Africa, Sardinia, and Sicily. Dion Cass., XLVI. 55. App., Bell. Civ., IV. 2.

[33] App., Bell. Civ., IV. 2, 7. "Tresviri reipublicæ constituendæ per quinquennium." Liv., Epit. CXX. Suet., Aug., 27.

[34] Plut., Ant., 19. App., Bell. Civ., IV. 5 *et seq.* Dion Cass., XLVII. 3 *et seq.* Vell. Pat., II. 67.

[35] See Ad Att., XV. 11.

[36] App., Bell. Civ., III. 4. See the letters, ap. Cic., Ad Att., XIV. 13. "Itaque stulta jam Iduum Martiarum est consolatio." Ib., XV. 4.

[37] "Magna spes," he said, "est in eo." It was true; but the hopes of Cæsar and the hopes of Cicero were like opposite poles. Ad Div., XII. 23. See Ad Att., XV. 12; Philipp., V. 16–18; and Plut., Cic., 44–46.

[38] Cic, Ad Att., XVI. 7. Philipp., I. 3, 4.

do his duty, so far as he could see it, whatever courses other men pursued. Nor when, after arriving in the city, he found the cause of the Commonwealth, to which he still inclined as to an ideal state or one that might yet be made ideal, was feebler than ever in Antony's presence, did he then hesitate to turn upon the new tyrant with all the fervor of baffled yearning and wounded patriotism.[39] For a little while he was the ascendant leader of the better men, few as they were, in Rome. The old rejoiced in his recovery, and the young wondered to believe, at last, that the stories told them of the twenty years before were true.[40] "One ship," he declared triumphantly, "now holds us all; and at its helm I stand resolved. O that its voyage may be prosperous! Yet, however blow the winds, I shall not cease to strive."[41]

The winds blew harder than he feared. "Small is the hope of our Commonwealth," he confessed with sinking voice, while Antony and Lepidus were driving down from the North; "yet it must not be said," he more cheerfully insisted, "that there is no hope at all."[42] His promise to be true himself, whatever might betide, was pledged again and again. "For I am of this mind," he wrote, "that, if my life is to be laid down in these exertions, I shall

[39] "Fulgentissimo et cœlesti ore," says the glittering Paterculus, II. 64. Cicero describes his own position in his letters, Ad Div., X. 28, XII. 25, but confesses that he wages war "non pari conditione." Ib., XII. 22.

[40] The conspirators were far from being satisfied. Brut., Ep. Cic. et Brut., 16, 17.

[41] Ad Div., XII. 25. See II. 5, XII. 28.

"Sur le bord du tombeau, réveille-toi, patrie!"
VOLTAIRE, *Rome Sauvée.*"

[42] Ad Div., XII. 9.

esteem it to be nobly ended."[43] The news of his proscription reached him at his villa in Tusculum. He first sought escape, with the intention of joining Brutus in Macedonia. But as he journeyed southwards, his heart sank, as if he were rather anxious to die where he had lived,[44] than to seek a foreign land and join in the bloodshed of his countrymen. Overtaken at length, near Caieta, by the assassins sent in pursuit of him, he met his fate with a fortitude that had too often failed in the midst of the trials and perils through which he had attained to the age of sixty-three.[45] The head and hands were cut from the corpse at Antony's command, and nailed above the rostra in the Forum of Rome.[46] Years after, Augustus spoke to his grandson of Cicero as a learned man and a lover of his country.[47] Centuries after, the Christian, remembering the warmth of heart in Cicero, may believe that he was given to the world as an example of the highest character possible upon earth before the opening of Heaven at Bethlehem and at Bethany.

When Brutus, who had fled with Cassius from Italy to take possession of the provinces allotted them in Syria and Macedonia, heard of the pro-

[43] Ad Div., IX. 24.

[44] "Moriar," he is reported to have said, "in patria sæpe servata." Liv., Frag. CXX. ex M. Sen., Suas., VII.

"And couldst not fall but with thy country's fate." DRYDEN.

[45] December 7, A. C. 43. Plut., Cic., 47, 48.

[46] Plut., Cic., 49. Flor., IV. 6.

"Pende en el foro, triunfo de un malvado,
La cabeza de aquel. . . .
En los rostros, do aquella voz divina
Fué de la libertad muro sagrado."
ARJONA.

[47] Plut., Cic., 49. "Si quis tamen," says the great historian, "virtutibus vitia pensavit; vir magnus, acer, memorabilis fuit, et in cujus laudes persequendas Cicerone laudatore opus fuerit." Liv., Frag., CXX.

scriptions at Rome, he said it was the fault rather than the misfortune of men who had submitted to the Triumvirs.[48] The ravages, nevertheless, which he and his associate committed in the East,[49] the forces which they raised there, were equally ineffectual to prevent their own overthrow in the following year[50] at Philippi, whither they were then pursued by Antony and Cæsar. Cassius was put to death at his own command by a follower, in the first engagement with his foes.[51] Brutus lived twenty days longer to fight a second battle. But on the loss of this, he slew himself by night, exclaiming, "as he looked up to the starry heavens,"[52] that "virtue was nothing but a name!"[53] He had done his best, involuntarily indeed, to prove that it then could be no more.[54]

The real conqueror at Philippi was Antony. But Cæsar assumed his share of credit for the victory, and the two together soon after appropriated the provinces allotted in the previous year to Lepidus, leaving Africa alone for their associate.[55] Antony, after tarrying awhile in Greece, went on to the East in search of plunder for his soldiers. Cæsar returned to Italy, with the intent of dividing and securing the lands already promised to the same troublesome, but indispensable followers. After ejecting many families from their estates, and plunder-

[48] Plut., Brut., 28.
[49] Id., ib., 29.
[50] A. C. 42.
[51] Dion Cass., XLVII. 45.
[52] Plut., Brut., 51.
[53] Flor., IV. 7. Plut., Brut., 51. Dion Cass., XLVII. 49.
[54] Dante set him deep in the ice of the Inferno. XXXIV. 65.
[55] Dion Cass., XLVIII. 1. Lepidus had been left in the enjoyment of the consulship and the pontificate at Rome.

ing the temples of the wealth which he needed to satisfy his veterans,[56] Cæsar was interrupted by the brother and the wife of Antony. They raised some forces amongst the disaffected,[57] and seizing upon Perugia, sustained a siege of several months, until forced to surrender.[58] Fulvia,[59] the wife, escaped in search of her husband. Lucius Antonius, the brother, entered the service of the victor.

Whilst these events threatened to separate the Triumvirs, Sextus Pompey, who had been included in their proscription-lists, was in possession of Sicily, Sardinia, and Corsica. As he had a large fleet under his command, he easily prevented the transportation of the supplies on which Rome depended for its common food. At every new success of the Triumvirs, the number of Pompey's followers was swelled by fugitives, arriving with little else than breath, to be protected against the victors. After the fall of Perugia, an alliance would have been made between Pompey and Antony, who was resolved upon breaking with Cæsar,[60] had not the latter, keen towards every danger, hastened to make peace with his returning associate at Brundusium. There a new division of provinces,[61] and the betrothal of Cæsar's sister Octavia — the single fair or gentle

[56] A. C. 41. App., Bell. Civ., v. 13.

[57] Id., ib., 12. Dion Cass., XLVIII. 4–6, 8, 9.

[58] A. C. 40. The city met with a terrible fate. Id., ib., 14. Suet., Aug., 15. App., Bell. Civ., v. 48, 49.

[59] The widow of Clodius, and the bitter enemy of Cicero, as Velleius Paterculus says, "nihil muliebre præter corpus gerens." II. 74.

[60] Dion Cass., XLVIII. 15, 16, 27, 29.

[61] A. C. 40. All to the east of the Adriatic being assigned to Antony. Dion Cass., XLVIII. 28, 30. App., Bell. Civ., v. 65.

figure in all these noisy and heartless scenes[62] — to Antony, prevented the imminent rupture.

New difficulties, however, occurred. The proposal of renewing the attack some time before made upon Sextus Pompey aroused a great disturbance amongst the Romans,[63] too much harassed by taxes and losses to bear with the high prices of grain, sure to be again cut off by the projected war. The Triumvirs, accordingly, determined to grant the demands of Pompey,[64] and to invest him with a share of their authority, on condition of his insuring the supply of the Roman market and the safety of commerce on the Mediterranean. But the treaty, though celebrated with festivities amongst its parties, as well as by general rejoicings,[65] was soon broken; and hostilities immediately succeeded. Sardinia and Corsica were betrayed to Cæsar, who finally, after great danger to himself,[66] and through the prowess of his abler lieutenant, Vipsanius Agrippa,[67] obliged his adversary to fly from Sicily to the Eastern seas. The victory of his officer was crowned with the murder of Pompey at Miletus by the officers of Antony.[68]

Before these fresh successes were all achieved, the triumvirate had been again renewed between the still

[62] See Plutarch's delightful account, Ant., 31, 53, 54, 57.

[63] Dion Cass., XLVIII. 31.

[64] Which were amnesty for his followers, with compensation and honors for himself. Dion Cass., XLVIII. 36. App., Bell. Civ., v. 72. This was in A. C. 39.

[65] App., Bell. Civ., v. 74.

[66] Suet., Aug., 16. Plin., Nat. Hist., VII. 46.

[67] Agrippa was and had been Cæsar's right-hand man. He advised him to go to Rome on his uncle's death; he supported him at Perugia; won victories for him in Gaul and Germany, and now defeated Pompey.

[68] A. C. 38–35. Vell. Pat., II. 79. Dion Cass., XLIX. 11, 18.

resentful Antony and his more than ever aspiring colleague. It was agreed between them that their covenant should be prolonged for five years more,[69] without disturbing Lepidus in the possession of Africa, where he had for some time resided, content, apparently, with his inferiority to his commanding associates. On being summoned, however, by Cæsar to take part in the campaign against Pompey, he suddenly determined to prove his own importance; and though he came over to Sicily, he did not put himself under Cæsar's orders, but making himself master of several towns and garrisons, he turned against his colleague, claiming his rights as a Triumvir. But he was no match for the man whom he dared to rival. As if his pretension had been a dream, he waked to find himself on his knees, deserted by his legions, deprived of his Sicilian cities and his African province, but graciously allowed to retain the pontificate at Rome.[70]

While Cæsar, putting Lepidus to shame and Pompey to flight, seized their resources in addition to his own, and at the same time rose to higher dominion at Rome,[71] Antony, lapped in the tyranny and the debauchery esteemed by him beyond authority, was with Cleopatra in Egypt, fast sinking below the ambition from which his eyes and steps had often swerved.[72] Yet the times were such that

[69] A. C. 37. Plut., Ant., 35. Dion Cass., XLVIII. 54. App., Bell. Civ., v. 93 *et seq.*

[70] A. C. 36. Dion Cass., XLIX. 12. App., Bell. Civ., v. 126.

[71] Dion Cass., XLIX. 15, 16. App., Bell. Civ., v. 130–132. Besides his other achievements, Cæsar twice conducted his soldiers against the barbarians to the east and north-east of the Adriatic. Liv., Epit. CXXXI., CXXXII. App., De Reb. Illyr., 16 *et seq.*

[72] See Plut., Ant., 24–29.

he could bear himself as though his sensuality had been greatness and his capriciousness power, in comparison with the utter humiliation of his countrymen and his allies.[73] The contest between him and his warier colleague, often delayed, but long expected, was begun by an accusation against Cæsar undertaken by one of the Consuls, at Antony's instigation. But Cæsar was able to retort with charges which obliged his accuser to fly the city,[74] and which were then so effectually supported by the unscrupulous publication of Antony's will,[75] that the people were infuriated and the Senate driven to a declaration of war against Cleopatra and of deposition against Antony.[76]

If there were any not yet submitted to either of the combatants disputing the supremacy, they must have desired the victory of the younger, whose practised self-possession and self-denial showed favorably in contrast with the assumption and the distraction of the elder. On Antony's side were ranged the provinces of Greece, Thrace, Asia, Cyrene in Africa, together with Cleopatra's Egypt and various of the Eastern kingdoms.[77] Italy and all its islands, Illyria, Gaul, Spain, with northern and north-western Africa, were under the command of

[73] His inglorious expedition to Parthia (Plut., Ant., 37 *et seq.*) was but one of his errors. His gifts to Cleopatra and the children whom she bore to him, his giving and taking away whole kingdoms in the East, were more serious charges against him at Rome. Plut., Ant., 36, 54. Liv., Epit. CXXXI. Dion Cass., XLIX. 32, 41, 50.

[74] A. C. 32. Dion Cass., L. 2. 3.

[75] Id., ib. Plut., Ant., 58.

[76] Dion Cass., L. 4. Plut., Ant., 66.

[77] The list of which is in Plut., Ant., 61.

Cæsar.[78] The story of the war has no interest to redeem its usual accounts of disaster and blood. Cæsar, after repressing some tumults excited by his severe exactions in Italy, crossed from Brundusium, with large forces and the greater part of the Senate.[79] The campaign began with the successes of Agrippa, the lieutenant without whom it does not appear that Cæsar would have long been a commander. It was again the ability of the same officer that insured the victory at Actium, where Antony appeared only as the paramour of Cleopatra, with whom he fled to Egypt, lost, and in the sight even of his contemporaries, dishonored.[80] Cæsar, after some operations in Greece and Asia, returned to Brundusium, where the Senate and great numbers of all classes[81] from Rome attended him, as if to prove that he had only to show himself in Italy to find it full of subjects. With them he tarried long enough to procure the money and the lands required for his army.[82] He then proceeded in pursuit of Antony and Cleopatra, at whose death Egypt became a Roman province.[83]

Among the honors decreed to Cæsar, after his victories over Lepidus and Pompey, was one accepted by him with extraordinary gratification. It was an inscription upon a statue of himself to be

[78] Dion Cass., L. 6.

[79] Plut., Ant., 58. Dion Cass., L. 10, 11.

[80] Sept. 2, A. C. 31. See Shakspeare's Antony and Cleopatra, Act. III. sc. 8.

[81] Dion Cass., LI. 4, 5.

[82] "Donec desideria militum ordinarentur." Suet., Aug., 17.

[83] A. C. 30. Dion Cass., LI. 17. Antony was fifty-one years old. Cæsar was but thirty-three.

placed in the Forum: — "For Peace restored after long Warfare by Land and Sea."[84] The peace which followed upon his final victories was the peremptory peace of universal prostration.

[84] App., Bell. Civ., v. 130.

CHAPTER VI.

AUGUSTUS EMPEROR.

"Cesare, piantando l'Imperio, edificò una ruina."
GIOBERTI, Prol. del Primato Mor. e Civ. degli Ital., p. 312, note.

FEW remembered that liberty had ever existed at Rome. Fewer still mourned over its extinction. The great majority were ready to quaff with the poet [1] in exultation at the elevation of a new sovereign. The small minority preferring or engaging in resistance did so from love of disturbance rather than of independence.[2] The history of liberty amongst the ancient Romans here finds its end.

But its moral, so to speak, is still to be drawn; and from the reign of Augustus. He was the solitary ruler for whom years and centuries had been making the preparation sure. The centralization not only of Rome, but of antiquity culminates in the absolute supremacy of Augustus the Emperor.

He found his nation with all its institutions, all its memories, a ruin. A ruin still he left it, al-

[1] "Nunc est bibendum," etc. HOR. *Carm.*, I. 37. So Ib., IV. 5 and Epod., 9.

[2] Suet., Aug., 19. Vell. Pat., II. 88.

though his life-long authority was employed in building it up into what he conceived to be a fabric of everlasting majesty. This, again, is a part of the moral to stand at the conclusion of our history. The liberty of old terminates in centralization more complete than had before been known. The centralization itself commences in weakness prognostic of ruin.

The first act of the victorious Cæsar was to profess his willingness to lay down the sovereignty which he had won at Actium.[3] To advise with him in his pretended uncertainty he called his most trusted adherents, Agrippa and Mæcenas. No two individuals could have more appropriately represented the two great classes into which the Romans were at this time divided as lovers of luxury and lovers of dominion, that is, of the dominion over others consistent with their own submission to one of themselves.

Vipsanius Agrippa, already mentioned as the able general through whose exertions Pompey was driven from Sicily and Antony routed at Actium, is described not only as the energetic soldier, but also as the active magistrate, ornamenting the city, amusing the citizens, and turning his popularity and his liberality to his own advantage, at the same time that he never neglected the service of his sovereign. Caius Cilnius Mæcenas, of higher birth,[4]

[3] He had made a similar parade of being ready to resign his position as Triumvir after the flight of Sextus Pompey from Sicily. App., Bell. Civ., v. 132. Suet., Aug., 28.

[4] Hor., Carm., I. 1; Sat., I. 6. 3. Propert., Eleg., III. 9. He believed, or pretended to believe himself sprung from the Lucumos of Etruria.

but content to remain amongst the Knights, early devoted himself to Cæsar,[5] and was early trusted in return. He served in the negotiations with Antony,[6] in the commissions from Cæsar's camps to the city,[7] and was finally employed to govern Italy in his master's absence.[8] But when the season of conflict and peril passed, Mæcenas gave up his life, rather than his leisure, to the luxurious delights which he much preferred to any lofty but toilsome dignities.

Mæcenas and Agrippa were together charged with the government of Rome after the battle of Actium;[9] and their authority had not yet, perhaps, been resumed by Cæsar when he asked them, as is related, whether he had better lay down his power or retain it in defiance of the superannuated liberties of his country. If any question was put to them, it must have been as to the manner in which their master could establish his power most securely. Should it rest upon the ancient names, and wear the ancient forms? Or should it rise in a new shape and upon a new foundation? There was no other point at issue.

Agrippa is said to have pleaded for the restoration of the Commonwealth. This, however, he neither would nor could have done, had the consultation actually occurred. But he might have pleaded with his lord for the preservation of the

[5] "Mæcenatis erunt vera tropæa fides."
PROPERT., *Eleg.*, III. 9. 34.

[6] App., Bell. Civ., V. 64, 92.

[7] Id., ib., 99, 112.

[8] Dion Cass., XLIX. 16. Tac., Ann., VI. 11.

[9] Dion Cass., LI. 3.

old system so far as to allow the Romans to believe themselves superior to all others in subjection. Or Agrippa might have urged that it was safer or easier to clothe the imperial power with the robes which had been worn by the authorities of the past. Mæcenas, on the contrary, was for laying these wholly aside and investing the supremacy of his master with new titles, as a power altogether distinct from any that had preceded it. Such may have been the counsels of the voluptuary and the soldier.[10]

The course commended by Agrippa suited Cæsar best. He would be supreme. But he had so little confidence in his supremacy as to consider it in peril unless it were buoyed up by the empty names attached to the magistracies of elder days. He remembered his uncle's fate, provoked, as it may have seemed, by a wish to be called king; and sooner than risk his authority and his life, Cæsar would have sunk every name in the simple title of a Roman on whom his too easy countrymen had thrown the burden of their cares. Five separate times[11] he chose to enact the part of wishing to resign his toils and dignities. But so winning was his assumed humility that the power which he would never really have laid down dilated to vaster proportions, and to the delight, apparently, more of the subjects than of the sovereign.

It tasked the ancient vocabulary to the utmost to furnish names befitting the imperial power. The

[10] See the long discourses of Dion Cassius, in the fifty-second book of his history.

[11] Dion Cass., LIII. 11, 16, etc. The hypocrisy of the edict quoted by Suet., Aug., 28, is yet more striking.

title of Emperor[12] was shortly followed by that of Father of his Country,[13] and the yet more venerable[14] one of Augustus, or the August. Other appellations were successively added, as though the power of the Emperor were running too freely for its first moulds; and the offices of Perpetual Proconsul, Perpetual Tribune, Perpetual Consul, and Chief Pontiff[15] were hurriedly added to those already bestowed. The title hitherto worn by one of the Senators, as the Prince of that body, was now assumed by the Emperor as if it were the pledge of his abiding by the forms of old.[16]

One year[17] there occurred a pestilence, so severe that no one, says the historian, could labor in the fields. The cause was believed to be the neglect of the Romans to invest Augustus, as he was then styled, with the consulship. To make atonement, they determined to declare him Dictator. The customary decree was straightway demanded from the Senate by the mob, with threats of burning the temple in which the Senate was convened. The decree was immediately passed; and the crowd, providing themselves with twenty-four fasces, hastened after the Emperor, whom they besought to suffer himself to be called Dictator.[18] He, however, partly

[12] Dion Cass., LII. 41. See Dion's account of the imperial power in LIII. 17, 18–22.

[13] Suet., Aug., 58.

[14] "The more noble name of Augustus" Becker, Gallus, p. 16. "Sanctius et reverentius visum est nomen Augusti, ut scilicet jam tum dum colit terras, ipso nomine et titulo consecraretur." Last words in Florus. See Ovid., Fast., I. 590, 599.

[15] Dion Cass., LIII. 28, LIV. 10, 27. Suet., Aug., 58.

[16] "Non regno tamen neque dictatura, sed principis nomine constitutam rempublicam." Tac., Ann., I. 9.

[17] A. C. 22.

[18] Δικτάτωρα δεόμενοι λεχθῆναι. Dion Cass., LIV. 1.

averse, partly distrustful, refused. Urged anew, he fell upon his knees, threw back his toga from his breast, as if in grief, and prayed to be excused. At the same time, he took upon himself the charge of providing for the public markets, and then dismissed the people, in raptures, probably, that they had so generous and so modest an Emperor.[19]

The great object of Augustus, while laying the foundations of a new system amidst the ruins of the old, was to persuade his people that there were neither ruins nor newly rising towers at all. He would have had them think that he and they were dwelling in their fathers' houses and under their fathers' laws; and to a certain extent he succeeded.[20] "Every thing was tranquil," remarks the historian. "And how many were there," he asks, "who could be disturbed by memories of the Commonwealth?"[21]

The highest by birth and by endowment were the lowest in submission. Asinius Pollio, who had crossed the Rubicon with Julius Cæsar, and adhered to the triumvirate from its beginning until the time arrived for him to follow Augustus, learned to employ his ambition, if he really had any, in literary[22] rather than in political pursuits. So Valerius Messalla Corvinus, who had veered from the conspira-

[19] Dion Cass., LIV. 1. Suet., Aug., 52.

[20] "Tout ce qu'Auguste voulait abolir, il ne le supprimait pas, il le laissa tomber de soi-même; tandis que les innovations s'enveloppaient d'une parure d'antiquité." Naudet, Des Recompenses d'Honneur chez les Romains, ap. Mém. de l'Inst., Sc. Mor. et Pol., tom. v. p. 885.

[21] "Domi res tranquillæ, eadem magistratuum vocabula: juniores post Actiacam victoriam, etiam senes plerique inter bella civium nati: quotus quisque reliquus, qui rempublicam vidisset?" Tac., Ann., I. 3.

[22] In which he was greatly distinguished as an orator, a poet, and

tors to Antony, and from Antony to Augustus, with prudent inconstancy, exercised himself afterwards in patronizing the poets and in acquiring the tasteful accomplishments of the times.[23] Another distinguished name is that of Cornelius Gallus, early devoted to Augustus and greatly rewarded, until he dared to oppose or in some way to provoke the power that had raised him; when he fell.

The same dejection appears in the poetry of the age. Virgil left the fields which he once could call his realms[24] to seek for favor at Rome. The freshness of the shade disappears. The hum of bees ceases. The highest strains of the epic describe the golden age beginning upon earth[25] under the Trojan Cæsar, whose empire had no bounds but the ocean, and to whose fame there were no limits but the stars.[26] In Horace, there were untouched harmonies to have thrilled the world. But he fell down before the altar at which the weakest were on their knees, lamenting that he had not voice enough to chant the majesty thereon enshrined.[27] Some manlier tones escaped him, in presence of his friends, with whom he felt at ease; but the breath spared from celebrating his superiors was mostly

a historian. He was the first to establish a public library in Rome. Plin., Nat. Hist., xxxv. 2.

[23] He was appointed to the prefecture of the city, but, as Tacitus significantly adds, "paucos intra dies finem accepit, quasi nescius exercendi." Ann., vi. 11.

[24] "Dulcia arva. . . . . Mea regna." Ecl., i. 3, 70.

[25] Æn., vi. 791 *et seq.*

[26] Æn., i. 286 *et seq.*

[27] "Sed neque parvum
Carmen majestas recipit tua, nec meus audet
Rem tentare pudor quam vires ferre recusent."
Epist., ii. 1 (Ad Augustum), 257 *et seq.* See Carm., i. 6.

spent in telling over the errors of his countrymen or in rehearsing his own revelries and failings. Ovid, more naturally independent, betrays still more the abasement in which the cord of liberty had been loosened. Endeavoring to open a channel, as it were, to currents never yet allowed to flow in Roman song, he reverted to the commoner course of flatteries towards the living, worthier in his eyes than the memories of the dead.[28] But the impurity of Ovid's poetry distorts its best features, and turns it into the autobiography of a man, and even into the history of a people, with whom luxury had passed through its earlier stages of contamination into insensibility.[29] It was the misfortune of the poet, in spite of his adulation, to incur the displeasure of the Emperor, and to be banished from the scene of his debaucheries.

The great historian Livy was one of those befriended by Augustus, and provided, as is probable, with the means of indulging in the usual pleasures of his day. Dissatisfied, however, and restless, he conceived the project of writing the Annals, of which the end, as he at least perceived, had evidently arrived. "It will be a great comfort to me," he says, in the introduction to his glowing history, "a great comfort if I can do my part in commemorating the achievements of this sovereign people of the earth. . . . . My own reward will be to turn away from the sight of those evils which our age

[28] Fast., I. 1–18.

[29] "Prisca juvent alios: ego me nunc denique natum
Gratulor: hæc ætas moribus apta meis."
Art. Am., III. 121, 122.

hath beheld for so many years, in searching with all my mind after the events of ancient times. . . . . For my readers, I simply desire each one of them to observe very earnestly the lives and the customs that have passed, — the men, too, and the means by which, at home and abroad, this empire of ours hath been both founded and increased. Let each in mind pursue the decline of morals following the decay of laws, — then their gradual sinking, — then their headlong fall, — and finally their entombment in these times wherein we can neither bear our vices nor their remedies." [30] The historian could not speak more plainly without danger. Indeed, he could not have spoken even so plainly, unless it had appeared that he was designating the necessity of a strong and absolute dominion over the evils which he thus bitterly lamented.

Of the inferior classes, of the freemen, still so styled,[31] and the slaves with whom the city, the country, and the provinces were peopled, there were none to interrupt the general submission. In some respects the condition of the lower orders was undoubtedly ameliorated by the assumption of authority on the part of a single ruler. Oppression might not, it did not cease. But it was no longer aggravated by dissensions amongst the oppressors.[32]

[30] Liv., Præfatio.

[31] The number of proletaries at Rome was reduced, but no lower than to two hundred thousand. Dion Cass., LV. 10.

[32] See Dion Cass., LIII. 12, 15; Suet., Aug., 47. But, on the other hand, the more frequent instances are of their manifold sufferings. See Suet., Aug., 40, 42, 47; Dion Cass., LIV. 7, 21, LV. 33; and the particular case of Gyarus in Strabo, X. 5. 3. Add Tac., Ann., III. 2.

But the authority of the Emperor was not so absolute as it has hitherto appeared. Both really and nominally, it extended over the assemblies and the magistrates,[34] the elections and the laws,[35] the revenues and the provinces,[36] over all that appertained to civil jurisdiction. Nominally, it likewise extended over all that belonged to the military organization of the Roman realms.[37] But really, in point of fact, it was not so clear that the Emperor ruled his soldiers as he did the rest of his subjects.

The title of Emperor, it must be remembered, had been a military one. It had belonged to the general, and to him only when in command of the army. The moment that his triumph was over and his troops were dispersed, he ceased to wear the appellation, however brilliantly it had been worn or won. Julius Cæsar was the first to retain the title. Augustus was but the second to do the same. Augustus, however, could prefer no claims such as his uncle had to keep possession of the imperial name. He had achieved no exploits, nor did he give promise of achieving any that entitled him to life-long supremacy over the army. But the power of Au-

[34] Dion Cass., LIII. I. 21, 32. Suet., Aug., 27. Tac., Ann., I. 9, III. 56. A new magistracy was substituted in the place of the City Prætor, under the nearly similar name of the Prefect of the City. Dion Cass., LIII. 2.

[35] Dion Cass., LIII. 21, LV. 34. Suet., Aug., 27, 34, 56. On the exemption of the Emperor from the laws, see Dion Cass., LIII. 28, LIV. 10.

[36] Divided, indeed, between the Emperor and the Senate, but his power extended over all. Dion Cass., LIII. 12, 13, 32. See Gibbon, chapters I. and VI.

[37] On the Prætorian Cohorts, formed of the flower of the army, see Suet., Aug., 49. Tac., Ann., IV. 5. Dion Cass., LIII. 11, LV. 24.

gustus, and he knew it, depended upon the allegiance of the legions.[38] Feared by him as much as by his other subjects, they were courted at home when they could not be kept at distant stations or in frontier wars. Thrice was the temple of Janus closed;[39] and when its gates were opened, it was for battles fought on distant fields, against the Ethiopians, who entered Egypt, or against the Germans, who, under Maroboduus and Arminius, raised alarums in the North.

From first to last, the Emperor feared not only his soldiers, but his subjects generally. His consummate prudence, his patient self-control, and the affability affected by him towards all, were the qualities which he appeared to possess. But when once the veil is fallen, he stands shivering with superstition[40] and corrupt with profligacy,[41] crying, one day, for a slaughtered army,[42] infuriated, another, by the shame of his only child,[43] and governed always by his wife Livia more strictly than he could rule the world. Behold him in the Forum or the Senate; and though he be composed and graceful, that anxious eye, those guarded words, betray him ill at ease. An actor, guilty of some disturbance, tells Augustus that it is well for the people to have other men to watch besides their Emperor; and he is pardoned.[44] A frantic citizen runs through the

[38] Numbering 450,000 men. Suet., Aug., 26. Dion Cass., LV. 23, 24. Niebuhr's Lectures on Rom. Hist., LIV. The number of citizens, A. C. 29, was 4,164,000.

[39] Suet., Aug., 22.

[40] Id., ib., 90 *et seq.*

[41] Id., ib., 71.

[42] Id., ib., 22.

[43] Dion Cass., LV. 10.

[44] Id., LIV. 17. Augustus made a journey into Gaul in order to avoid a scandal which he had aroused. Id., ib. 19.

streets screaming that he has sworn not to survive Augustus, and that others must swear the same; and he is rewarded.[45] When the Emperor harangues the Senate or publishes an edict, he quotes "whole books" upon his side, as if to convince the people, says his biographer, that his opinions had been held of old.[46] "Like a chameleon," says one of his successors, "he was forever changing."[47] His last words were to ask if he had played his part becomingly.[48] As if the forty-four years of his dominion and the seventy-seven of his life[49] had been but one long effort to sustain himself as the Emperor of Rome.

From the outset, the liberty of the ancient Romans had been the liberty of rulers. Now there was but one ruler. And that one possessed no liberty, even according to the standard of his countrymen. The doom of the ancient liberty was fulfilled.

That of the ancient centralization was prepared. The dominion of a man so dependent as Augustus over subjects still more dependent than himself proves the ruin in which the centralization of old was destined to terminate. "It is better," said Augustus himself, "to establish than to increase."[50] He could do neither. Little as he or as they who served him imagined it,[51] the imperial fabric tot-

[45] Dion Cass., LIII. 20.

[46] Suet., Aug., 89.

[47] Id., ib., 99.

[48] Πολλὰ ἀμείβων, ὥσπερ οἱ χαμαιλέοντες χρώματα. Julian., Cæs., p. 20, ed Par., 1583.

[49] He died A. D. 14. "Animam cœlestem," says Paterculus, quite out of his depth, "cœlo reddidit." II. 123.

[50] Ap. Plut., Apophth., tom. VI. p. 780. And in his will he enjoined his successor to be content with the existing boundaries of the empire. Dion Cass., LIV. 9, LVI. 33.

[51] "Quand tout se remue également," says Pascal, "rien ne se

tered so soon as it was reared. It rose from out a rent and bleeding soil like an exhalation. Like an exhalation it began to sink from the instant of its rise.[52]

remue en apparence : comme en un vaisseau. Quand tous vont vers le déréglement, nul ne semble y aller." Pensées, edit. Faugère, tom. I. p. 192.

[52] "Verso civitatis statu," says the clear-sighted historian, "nihil usquam prisci et integri moris." Tac., Ann., I. 4.

"Nil patrium nisi nomen habet Romanus."

PROPERTIUS, *Eleg.*, IV. 1. 37.

CHAPTER VII.

CLOSE OF ANTIQUITY.

"Thus is our Era to be named of Hope."

CARLYLE, *French Revolution*, Book III. ch. 8.

THE course of the olden time was run. Its generations had wrought the work appointed them to do. Their powers were exhausted. Their liberty, in other words, their ability to exercise their powers, was itself overthrown.

From the outset there had been no union amongst men. The opposite system of centralization, by which the many were bound to the few, had prevailed at the beginning. Weakened, indeed, but more than ever developed, it prevailed also at the end. To renew and to extend this system had been the appointed work of the ancient Romans. Not to unite, not to liberate the human race, had they been intrusted with dominion. It was to reduce mankind, themselves included, to dissension and to submission, that the Romans were allowed their liberty.

To such an end their liberty, like that of the elder nations, was providentially adapted. As a possession, it was in the hands not of the best, but

of the strongest. As a right, it was not the right to improve one's self, but that to restrain others. It was the claim to be served by others. It was not the privilege of serving others. Much less was it the privilege of serving God. Struggling amidst the laws of man, instead of resting upon those of God, it was the liberty of men destined to contention until they fell in servitude.

There were exceptions. Not every one lost himself in the dust and the agony of strife. Not every generation spent itself in conflicts. The physical powers were not always the only ones in exercise. At times, the intellectual powers obtained development. At rarer seasons, the spiritual powers evinced themselves. A generation might thus attain to a liberty far wider than that of its predecessors. An individual might thus rise to a liberty far higher than that of his contemporaries. Yet these were but exceptions. The rule, confirmed by them, was the tendency of men to a lower, rather than a higher state. Indirectly, they were led towards the higher state for which the lower was the necessary preparation. But the passage was to be made through the lower. Every bad work that succeeded, every good work that failed, brought mankind nearer to the end of the prevailing evil. The advent of the approaching good was hastened by every downward step towards prostration.

From the masses of the clouds the light first fades away. It presently vanishes from the patches in the skies originally undimmed. Then darkness overspreads the heavens. Men fall supine upon the

earth. The night of universal humiliation sets in. But the gloom is not unbroken. Overshadowed as is the scene, it is not overwhelmed. There still remain the vales where truth has descended. There still exist the peaks to which love in its longing has climbed. Desires too earnest to have been wasted, principles too honest to have been unproductive, still linger in promise of the coming day.[1] Men were to be humbled. They needed to feel the insecurity of their liberty, of the powers which made it their right, of the laws which made it their possession. But they did not need to be bereft of the good which their laws and their powers, however imperfect, comprehended.

The day of redemption followed. It was not too late.[2] It was not too soon.[3] The human race had been tried. It had not been annihilated. Then the angels sang their song of glory to God and peace amongst His creatures. We may believe that when the morning came, the oppression and the servitude of old had left their darkest forms amidst

[1] "Il fait nuit!
Il fait nuit, pour que l'ombre encore
Fasse mieux éclater l'aurore
Du jour où son doigt vous conduit."
LAMARTINE.

[2] "Tu opponas," says Arnobius, addressing the Gentes (II. 75), "et referas cur tam sero emissus est Sospitator. In infinitis perpetuis seculis nihil omnino dicendum est serum . . . . Potest ergo fieri, ut tum demum emiserit Christum Deus Omnipotens, Deus Solus, postquam gens hominum fractior et infirmior cœpit nostra esse natura."

[3] "The Christian revelation," says Leland, in his truly admirable work on the subject (vol. I. p. 488), "was made to the world at a time when it was most wanted; when the darkness and corruption of mankind were arrived at the height. . . . If it had been published much sooner, and before there had been a full trial made of what was to be expected from human wisdom and philosophy, the great need men stood in of such an extraordinary Divine dispensation would not have been so apparent."

the midnight clouds.[4] Before the death of Augustus, the Business of THE FATHER had already been begun in the Temple at Jerusalem; and near by, THE SON was increasing in wisdom and in stature and in favor with God and man.

The sea, as it were, whereon wave has pursued wave through day and night, through years and centuries, before our eyes, is thus illumined with the advancing light which we have been waiting to behold. And as we stand upon the shore, conscious of the Spirit that has moved upon the face of the waters, we may lift our eyes with more confiding faith to the over-watching Heaven.

[4] "Presso al tempo che tutto 'l Ciel volle
Ridur lo mondo a suo modo sereno."
Paradiso, VI. 55, 56.

END OF VOL. II.

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